

Heidi E. Mueller, Director

Daniel L. Fitzgerald, EEO Officer/Chief Diversity Officer

# Affirmative Action Plan FY2025



## **INTRODUCTION**

The Illinois Human Rights Act authorizes the Department of Human Rights to issue guidelines for the development and implementation of affirmative action plans by state executive agencies and to approve such plans. These guidelines apply to the state executive departments, boards, commissions and instrumentalities of Illinois state government.

The Illinois Department of Children and Family Services (DCFS) Affirmative Action Plan is a strength based, solution focused and results-oriented set of procedures arising from an in-depth review of all aspects of the agency's employment process, which should impact equal employment opportunities for minorities, women and people with disabilities. Each fiscal year, state executive agency affirmative action plans must adhere to the format, content and procedures outlined by the Department of Human Rights.

Herein is the approved Affirmative Action Plan for the Illinois Department of Children and Family Services.

# TABLE OF CONTENTS

<b>Section One</b>	<b>Page</b>
Program Certification . . . . .	7
Director’s EEO/AA Policy Statement . . . . .	8
Agency Profile . . . . .	9
DCFS Mission Statement . . . . .	10
Agency Responsibilities . . . . .	11
DCFS Management Team . . . . .	12
Duties of EEO/DEI . . . . .	13
DEI Organizational Chart . . . . .	15
EEO/AA Activities . . . . .	16
Dissemination of the Affirmative Action Policy and Plan . . . . .	18
African American Services . . . . .	20
African American Advisory Council . . . . .	21
Asian and Pacific Islander American Services . . . . .	22
Asian American Advisory Council . . . . .	23
Latino Services . . . . .	24
Latino Advisory Council . . . . .	26
LGBTQI+ Services . . . . .	28
Native American Services . . . . .	29
Illinois Indian Child Welfare Advisory Council . . . . .	30
<b>Section Two</b>	
Promotables (by Categories) . . . . .	33
Job Titles by EEO Category . . . . .	34
Internal Workforce Analysis Summary . . . . .	37
Final Availability Analysis (Too voluminous to include) . . . . .	38
Transactions Definitions . . . . .	39

**Section Three**

Goals, Timetables, Monitoring Procedures & Numerical Goals .....43  
Program Goals .....46

**Section Four**

Employment Discrimination Complaint Process .....55  
Employment Discrimination Complaint Forms .....58  
Sexual Harassment Policy.....61  
Sexual Harassment Complaint Form.....66

**Section Five**

Affirmative Action Plan for Persons with Disabilities.....71  
Americans with Disabilities Act Notice to the Public.....72  
Labor Force Analysis for People with Disabilities.....73  
Americans with Disabilities Act Grievance Form.....74  
Reasonable Accommodation Policy.....76  
Reasonable Accommodation Policy and Procedure.....77  
Employee/Applicant Request for Reasonable Accommodation Forms.....84  
Physician’s Statement Form.....86

**Section Six**

Applicable EEO Laws.....91

**Section Seven**

Hiring and Promotion Monitor Forms.....95  
Separation Questionnaire.....97

**Appendix**

Rule 308: Nondiscrimination Requirements of Department Service Providers .....101  
Rule 425: Americans with Disabilities Act Grievance Procedure.....106  
Rule 429: EEO through the Illinois Department of Children and Family Services.....111

SECTION

**1**



**EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION  
PROGRAM CERTIFICATION**

AGENCY..... **Illinois Department of Children and Family Services**  
ADDRESS ..... **1911-21 S. Indiana Ave, 4th Fl. Chicago, Illinois 60616**  
TELEPHONE NUMBER..... **(312) 323-2495**  
DIRECTOR..... **Heidi E. Mueller**  
EQUAL EMPLOYMENT OPPORTUNITY/  
AFFIRMATIVE ACTION OFFICER ..... **Daniel L. Fitzgerald**

This is to certify that the attached document represents the Equal Employment Opportunity/Affirmative Action Program of this agency.

  
\_\_\_\_\_  
Director's Signature **October 1, 2024**  
Date

  
\_\_\_\_\_  
Equal Employment Opportunity/Chief Diversity Officer's Signature **October 1, 2024**  
Date

## DIRECTOR'S EEO/AA POLICY STATEMENT

This administration, including all executive, managerial, and supervisory staff, endorses this Affirmative Action Plan and is committed to equal employment opportunity and affirmative action for all staff and employees. It is the policy and practice of the Illinois Department of Children and Family Services (DCFS) to emphatically make decisions regarding recruitment, hiring, training, promotion, layoff and awarding of benefits without regard to race, color, religion, sex, sexual orientation, gender identification, national origin/ancestry, citizenship status, disability, age, order of protection status, marital status, pregnancy, arrest record or military status, including veteran status and unfavorable discharge from military service.

DCFS is committed to:

- Undertaking affirmative action to address the underutilization of minorities and females at all levels of employment.
- Implementing sexual harassment and other anti-harassment policies and programs.
- Undertaking affirmative action to increase the number of persons with disabilities in the agency as a whole.

If anyone feels that he or she has been discriminated against at any time because of his or her race, color, religion, sex, sexual orientation, gender identification, national origin/ancestry, citizenship status, disability, age, order of protection status, marital status, pregnancy, arrest record or military status, including veteran status and unfavorable discharge from military service, he or she should file a complaint through available means, without fear of retaliation. No employee who files a complaint will be subjected to retaliation under any circumstances.



October 1, 2024

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Director's Signature

Date



## AGENCY PROFILE

The Department of Children and Family Services (DCFS) is the state of Illinois' child welfare agency charged with ensuring the safety, permanency and well-being of more than 20,000 children living in foster care. DCFS, under the leadership of Director Heidi E. Mueller, operates with more than 3,637 staff and a \$2.044 billion budget. In FY24, DCFS served 17,164 youth, received 234,527 hotline calls and conducted 96,254 investigations. DCFS also contracted with approximately 335 private child welfare community agencies to meet the diverse needs of its clients, ranging from foster care to counseling and psychiatric services.

Major DCFS program areas include, but are not limited to:

- **Protective Services**  
Operates the statewide Child Abuse and Neglect Hotline, conducts child abuse/neglect investigations and licenses daycare centers, fosters homes, child welfare agencies and institutions.
- **Intact Services**  
Delivers services to the families to ensure the safety of children so that children may remain in or return to their homes.
- **Family Reunification and Substitute Care**  
Prepares families for reunification and ensures the well-being and safety of children who are placed outside their homes due to abuse, neglect or dependency.
- **Resource and Recruitment**  
Recruits, supports and maintains adoptive/guardianship homes to ensure permanency for children who cannot return to their homes.
- **Supportive Services**  
Establishes best practice standards, maintains department systems, reports on agency performance, provides administrative support and monitors several department accountability practices.

# ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## Mission Statement

The mission of DCFS is to:

- Protect children who are reported to be abused or neglected and to increase their families' capacity to safely care for them.
- Support early intervention and child abuse prevention activities.
- Provide for the well-being of children in the department's care.
- Provide appropriate, permanent families as quickly as possible for those children who cannot safely return home.
- Partner with communities to fulfill this mission.

## Vision Statement

DCFS is committed to acting in the best interest of every child it serves and to helping families by increasing their ability to provide a safe environment for their children and by strengthening families who are at risk of abuse or neglect.

DCFS envisions a future in which children who have been abused or neglected:

- Are served with respect, fairness and linguistic and cultural competence.
- Live in families that are safe and healthy.
- Live safely at home or are placed in short-term care that are capable, nurturing foster homes.
- Have no unplanned placement disruptions.
- Are quickly and safely reunified with their families through restorative services or are placed with adoptive families or permanent guardians when reunification is not possible.
- Are served by a comprehensive continuum of services including the provision of residential placement when that best meets the child's needs.
- Live in communities where partnerships between DCFS, which has immediate and direct responsibility for youth in care, and other public and private agencies provide an effective array of services to meet the needs of children and families and prevent child abuse and neglect.
- Are served by competent, highly trained staff who respond to every report of abuse or neglect and who act quickly and professionally to protect them and ensure their well-being.
- Are served by a legal system that will promptly and efficiently adjudicate their cases and provide for an appropriate and expeditious disposition.

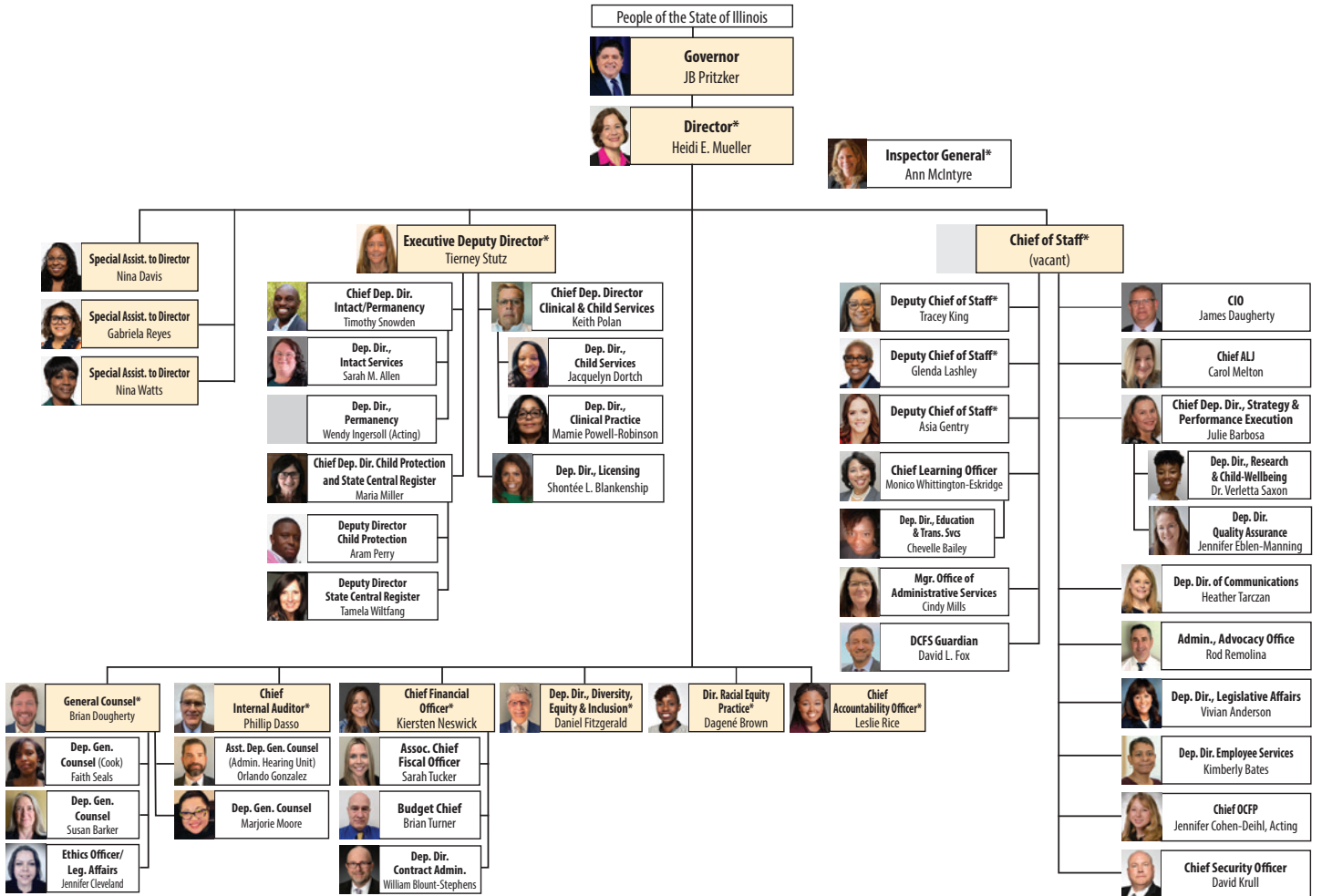
## Agency Responsibilities

The Agency:

- Protects and promotes the welfare of children.
- Provides social services to children and their families.
- Provides grants for comprehensive community-based services to assist families in need.
- Issues licenses and permits to childcare facilities.
- Prevents, remedies or assists in solving problems which may result in the neglect, abuse, exploitation or delinquency of children.
- Prevents the unnecessary separation of children from their families by identifying family issues, assisting families with these needs, and preventing disruption by avoiding removal of children when it is not necessary and not in the best interest of the children.
- Returns children to their biological parents when it is safe to do so.
- Provides adoption assistance to persons who adopt special needs children.
- Places children in adoptive homes and in subsidized guardianship when returning children to a biological parent is no longer an option.
- Provides shelter and independent living services for homeless youth.
- Provides or purchases supportive services and living maintenance, such as residential maternity homes and counseling to contribute to the physical, emotional and social well-being of youth in care who are pregnant and/or parenting.

# DCFS SENIOR MANAGEMENT

As of October 2024



# **DIVISION OF DIVERSITY, EQUITY AND INCLUSION**

**Daniel L. Fitzgerald,  
EEO/Chief Diversity Officer**

## **Office Location**

1911-1921 S. Indiana, 2nd floor  
Chicago, Illinois 60616  
Phone: (312) 328-2493  
DCFS.DEI@illinois.gov

The Division of Diversity, Equity and Inclusion is charged with the overall responsibility of ensuring that DCFS complies with civil rights rules and regulations and that the rights of all DCFS employees, applicants and service recipients are protected against unlawful discrimination.

Unlawful areas of discrimination include the following:

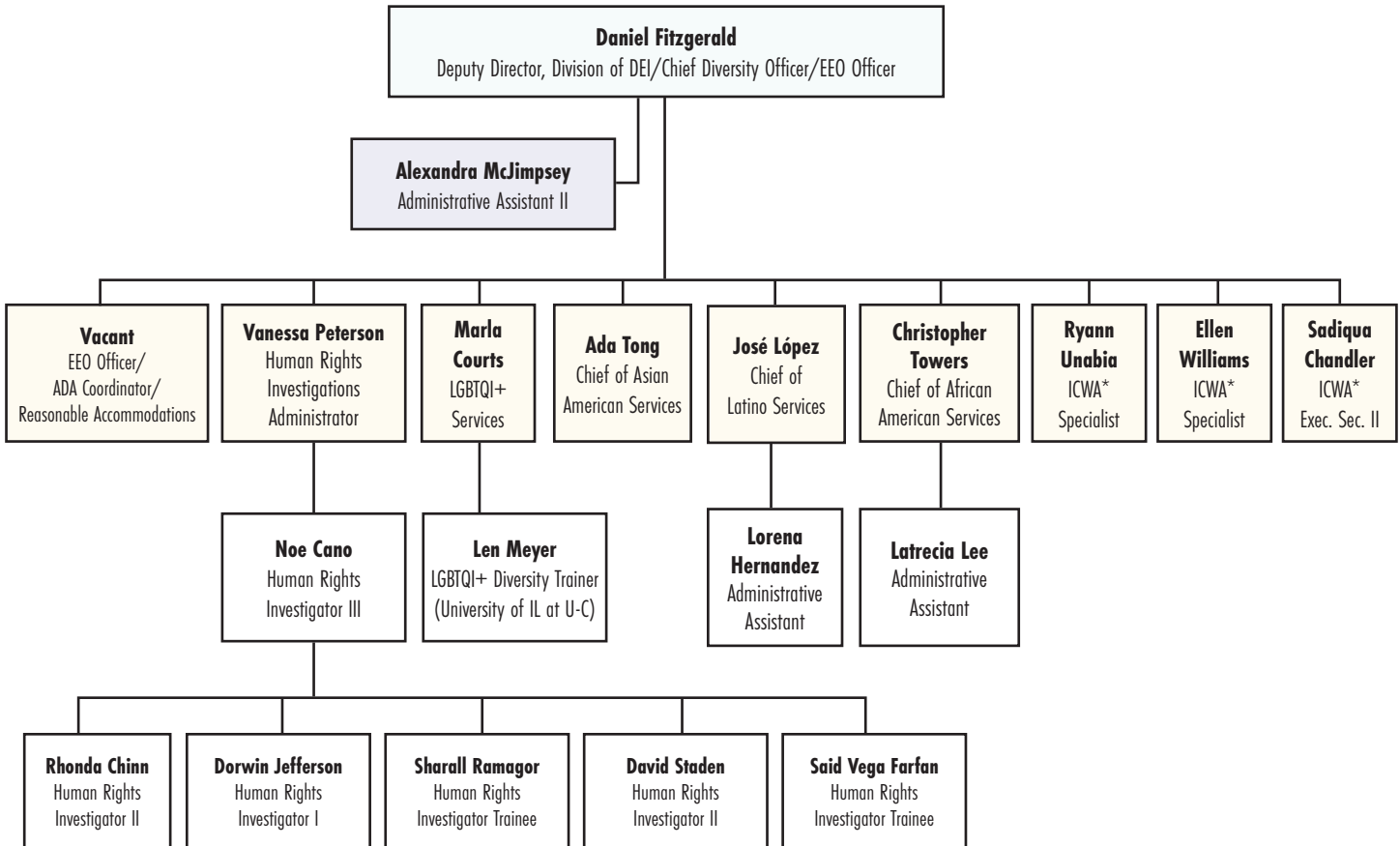
- Race
- Color
- Sex
- Sexual Orientation
- Gender Identity
- Sexual Harassment
- Religion
- Age
- National Origin
- Physical or Mental Disability
- Military Discharge (unfavorable)
- Marital Status
- Citizenship Status
- Arrest Record
- Aiding and Abetting
- Coercion
- Veteran's Status

The duties and responsibilities of the Division of Diversity, Equity and Inclusion include, but are not limited to, the following:

- Developing the Affirmative Action Program structure and communicating policy guidelines to all units in collaboration with the director of DCFS.
- Coordinating managerial efforts to implement the Affirmative Action Program through appropriate administrative channels and communicating its status to the director.
- Issuing such directives as are necessary to the operating units to ensure compliance with Affirmative Action goals and discussing each unit's progress toward achieving its established goals with the director or his/her designee.
- Counseling employees regarding the merit of complaints.
- Offering mediation intervention.
- Investigating complaints of discrimination filed internally with the Division of Diversity, Equity and Inclusion and maintaining records of complaints filed externally with other agencies, such as the Illinois Department of Human Rights, the Equal Employment Opportunity Commission or any other appropriate government agency.
- Developing and monitoring an annual Affirmative Action Plan which includes specific goals, time-tables and monitoring procedures for all DCFS regional offices and administrative units.
- Monitoring purchase of service providers' compliance with contract civil rights requirements.
- Conducting Affirmative Action/Equal Employment Opportunity orientation and training sessions.
- Participating in employment and foster home recruitment activities.
- Serving as the Americans with Disabilities Act coordinator and handling requests for reasonable accommodations.
- Producing monitoring reports on a monthly, quarterly and annual basis.
- Disseminating Affirmative Action/Equal Employment Opportunity information.
- Analyzing Lay-off Reports.
- Collaborating with the DCFS Office of Employee Services to address agency underutilization goals in the hiring process.

# DIVISION OF DIVERSITY, EQUITY AND INCLUSION

As of August 1, 2024



\*Indian Child Welfare Act

## **EQUAL EMPLOYMENT OPPORTUNITIES/ AFFIRMATIVE ACTION ACTIVITIES**

The Division of Diversity, Equity and Inclusion continuously informs administrative staff of DCFS' diversity goals and encourages them to develop a plan to address those goals in the following ways:

- Goal updates are sent to managers on an ongoing basis informing them of the percentage they need to achieve in each EEO category in order to maintain compliance, regardless of headcount fluctuations.
- Interview committees are informed of the affirmative action goals and are responsible for making good faith efforts to meet these goals whenever possible. If there is an affirmative action goal and a minority/female candidate is not selected for the position, hiring and promotion monitoring procedures require that a detailed explanation be provided explaining the non-selection of a minority/female candidate. Comparison scores are also reviewed randomly as needed by the Office of Affirmative Action.
- The Council on Accreditation (COA) standards require the department to hire applicants with social work or related human services college degrees. As a result, the department focuses much of its recruitment efforts at schools which offer undergraduate and graduate degrees in social work such as Aurora University, University of Chicago, DePaul University, Dominican University, Governors State University, University of Illinois at Chicago, University of Illinois at Urbana-Champaign, Illinois State University, Loyola University, Northeastern Illinois University, Southern Illinois University at Carbondale, St. Augustine College, University of St. Francis and Western Illinois University.
- Strict hiring controls are implemented to ensure the best candidates are selected without regard to political affiliation or nepotism. The Office of Employee Services' recruitment team was involved in recruitment activities at all the major Illinois colleges and universities and participated in job fairs and other related activities, including job fairs held by the Illinois Department of Central Management Services, minority outreach job fairs and forums, veteran outreach job fairs and bilingual recruitment outreach.
- The Division of Diversity, Equity and Inclusion is available to DCFS employees at all levels for consultation, regardless of whether they choose to file formal complaints. The EEO/AA pamphlet notifies DCFS employees, clients, and recipients of services of their legal rights and the role of the Division of Diversity Equity and Inclusion.
- EEO/AA posters are disseminated to all DCFS administrators, managers and offices to be displayed in prominent locations.
- The Division of Diversity, Equity and Inclusion conducts training sessions statewide through the DCFS Training Institute. Topics have included civil rights compliance, Unconscious Bias, LGBTQI+ and sexual harassment.
- Employees are informed that the department has a policy prohibiting all forms of unlawful discrimination and harassment and has adopted a zero-tolerance policy for employees threatening others with physical harm or violence.



- The Division of Diversity, Equity and Inclusion is involved in addressing Reasonable Accommodation Requests from disabled employees, applicants and/or clients. Employees are required to complete and submit written Reasonable Accommodation Requests and the Physician Statement form (CMS 95) and other supporting medical documents directly to the ADA coordinator in the Division of Diversity, Equity and Inclusion for tracking. After the Reasonable Accommodation Request form has been signed by the requester's immediate supervisor and administrator, the Division of Diversity, Equity and Inclusion must review for compliance and make a recommendation as to whether the request should be granted. The ADA coordinator submits the Reasonable Accommodation form and supporting documentation to the Division of Diversity, Equity and Inclusion deputy director for review, who then submits the request to the DCFS director for a final decision. Only the director can grant or deny the Reasonable Accommodation request.
- The deputy director, of the Division of Diversity, Equity and Inclusion reports directly to the DCFS director and they meet regularly to discuss Affirmative Action matters.
- The Division of Diversity, Equity and Inclusion actively encourages staff at all levels across divisions to work collaboratively to ensure that the highest quality services are provided fairly, equitably, on a culturally competent basis to facilitate achievement of DCFS' mission.
- The Division of Diversity, Equity and Inclusion, which has the overall responsibility of addressing discrimination issues, has staff who focuses on identifying issues unique to the Latino, Asian American, African American, LGBTQI+ and Native American communities served by DCFS and makes recommendations to address those issues to the deputy director, Division of Diversity, Equity and Inclusion.
- DCFS also has four advisory groups (Latino, Asian American, African American and Native American) which meet with the director quarterly to provide advice and discuss current issues specific to these communities. Each of these advisory groups are comprised of both internal staff and/or external stakeholders.

# **DISSEMINATION OF AFFIRMATIVE ACTION POLICY AND PLAN**

## **Internal Policy**

The Affirmative Action Plan is a public document available to all agency personnel to review upon request. The Division of Diversity, Equity and Inclusion takes numerous steps to publicize the plan and ensure its broad circulation:

- Copies of the Affirmative Action Plan are distributed to regional management personnel, who are then responsible for sharing the plan with their staff. Copies of the Affirmative Action Plan are also available through the Division of Diversity, Equity and Inclusion, the DCFS website and the Illinois State Library.
- Management and supervisory staff are encouraged to include information about the DCFS' Affirmative Action Program in all orientation programs for new employees. Managers and supervisors are also encouraged to post job opportunity bulletins and vacancy notices which expressly state that the DCFS is an Equal Opportunity Employer in prominent locations in all DCFS facilities.
- The Division of Diversity, Equity and Inclusion responds to internal and external inquiries regarding Affirmative Action requirements and is available to assist all employees seeking information about the agency's Affirmative Action policy and program.
- Additionally, the Division of Diversity, Equity and Inclusion is committed to providing staff the substantive data and assistance necessary to understand affirmative action requirements and facilitate compliance:
- Computerized Affirmative Action goals are provided monthly to regional administrators, deputy directors, office managers and administrators advising them of their goals and the status of their efforts to achieve those goals.
- Final availability percentage computations are provided monthly to enable continuous monitoring.
- Staff is provided specialized training on equal employment opportunity, affirmative action and sexual harassment laws and policies.
- Program and operations managers are provided ongoing technical assistance in identifying and resolving equal employment opportunity and affirmative action issues.

## External Policy

DCFS recognizes the importance of collaborating with its community and contractual partners to help them understand Affirmative Action requirements and facilitate compliance. As a result, DCFS strives to ensure that information regarding its Affirmative Action requirements is publicized and readily available to those outside of DCFS:

- Upon request made to the Division of Diversity, Equity and Inclusion, a copy of the Affirmative Action Plan will be made available for public inspection during normal business hours.
- A copy of the Affirmative Action Plan is available on DCFS public website.
- The Affirmative Action Plan is available to state and federal regulatory agencies and recruitment sources upon request and to others based on availability.
- When DCFS uses outside recruitment resources, it is the responsibility of DCFS manager or supervisor seeking candidates to ensure that applicants are referred in accordance with the department's equal employment opportunity policy.
- Contractors and subcontractors for goods and/or services are notified of their contractual obligation to comply with all DCFS equal employment opportunity and non-discrimination policies, including, but not limited to, DCFS Administrative Rule 308 (Non-discrimination Requirements of Department Service Providers). Similarly, community organizations utilized by the DCFS are also notified of the department's Affirmative Action Program and its commitment to equal opportunity in service delivery and employment.
- The annual affirmative action plan is a State of Illinois document, and as such, must be filed with the State of Illinois Library. Two print copies and an electronic copy must be filed with the library. If you have any questions, you can contact: Blaine Redemer, [blaine.redemer@ilsos.gov](mailto:blaine.redemer@ilsos.gov), (217-782-5432) at the State Library. Requests for DCFS Affirmative Action Plan can also be made to:

Government Documents Section  
Illinois State Library  
300 South Second Street  
Springfield, IL 62701-1796

# AFRICAN AMERICAN SERVICES

Christopher Towers, Chief

## Office Location

1911-21 South Indiana Ave., 4th Floor  
Chicago, IL 60616

[christopher.towers@illinois.gov](mailto:christopher.towers@illinois.gov)

- **Community Engagement**  
Makes presentations regarding DCFS policy and procedures to community and special interest groups. Serves as the liaison and co-sponsors with the African American Advisory Council informational community forums regarding DCFS initiatives, procedures, policy changes and other DCFS funded programs focusing on children and families. Acts as a community liaison and meets with community stakeholders to discuss improving diversity and inclusion issues that impact DCFS.
- **Advocacy**  
Assists in examining internal and external complaints regarding alleged unfair or discriminatory matters regarding services and service delivery. Advocates on behalf of families and staff who allege unfair treatment or are subjected to culturally insensitive treatment. Works to promote more inclusive process.
- **Cultural Training and Workshops**  
Makes recommendations for training and workshops on issues about culture, well-being and special needs of African American children and families. In collaboration with other divisions, develops proposals for staff career development, community forums and culturally sensitive services. Conducts discussions/training programs that promote diversity and inclusion.
- **Recruitment Programs**  
Assists in the development of recruitment programs for employment and foster and adoptive homes in partnership with agency recruitment specialists, employee services and the communications division.
- **African American Advisory Council Institute Training**  
Serves as the agency and African American Advisory Council liaison and provides assistance for the African American Advisory Council's Statewide Institute Day training. Assists with highlighting the annual national month of February that recognizes cultural programs and accomplishments of African Americans.
- **Agency Councils and Committees**  
Participates and makes recommendations regarding services and service delivery for the Annual African American Employment Plan Council, African American Advisory Council, DEI planning committee and African American Youth Affinity Group.

# **AFRICAN AMERICAN ADVISORY COUNCIL**

**Tracy Marshall, Chairperson**

**Office Location**

15115 South Dixie Hwy.

Harvey, IL 60426

Telephone: (708) 210-2815

[\*tracy.marshall@illinois.gov\*](mailto:tracy.marshall@illinois.gov)

The African American Advisory Council assists DCFS in providing culturally sensitive, appropriate and competent services to African American children and families. The council functions in the advisory capacity to the DCFS director pertaining to African American employees, clients and contractors in relation to recruitment, employment, community relations and professional development issues.

The council's bylaws stipulate a membership consisting of a maximum of 31 department employees. The council is a statewide organization, with 72% of the members from Cook County and the remaining 28% from northern, central and southern regions. This formula reflects the proportion of African Americans within Cook County and downstate respectively.

Employees may apply for membership by submitting a brief narrative describing their interests in problems and issues affecting African Americans in the child welfare system. Individuals who have submitted narratives are then interviewed to fill council vacancies as they occur. Interested applicants may contact Robin Albritton, Chairperson of the African American Advisory Council Membership Committee for additional information at [\*robin.albritton@illinois.gov\*](mailto:robin.albritton@illinois.gov). Council members are also encouraged to participate on several standing and/or ad hoc committees as well.

# ASIAN AMERICAN SERVICES

**Ada Tong, Chief**

**Office Location**

1911-21 South Indiana Ave., 2nd Floor  
Chicago, IL 60616

Telephone: (312) 328-2751

[ada.tong@illinois.gov](mailto:ada.tong@illinois.gov)

The chief of Asian American Services advises the Division of Diversity, Equity and Inclusion's, deputy director and DCFS on matters regarding service delivery to Asian American staff, clients and provider agencies. The chief of Asian American Services also evaluates DCFS policies and procedures to ensure that they are culturally sensitive; facilitates the development and implementation of long-term strategic goals that maximize services to DCFS Asian American clients, agencies and staff; and makes recommendations about how to remedy issues that adversely impact the Asian American community in several ways:

- Serves as the DCFS liaison to the Asian American community and a resource for community-based groups and other stakeholders, including conducting trainings and workshops on the unique cultural and programmatic needs of Asian American children and families, giving presentations about the requirements of DCFS policies and procedures and co-sponsoring informational community forums on DCFS initiatives, procedures, policy changes and other DCFS programs which focus on children and families.
- Assists the Licensing Division in the recruitment of Asian American, multi-ethnic and multilingual foster homes and assists the Office of Employee Services in the recruitment of Asian American staff.
- Facilitates career development for Asian American staff and foster or adoptive parents through a variety of leadership training programs, including collaborating with external community-based organizations.
- Engages in outreach and gives employment recruitment presentations to selected community organizations; reaches out to community-based organizations, churches, various Asian coalitions, professional placement organizations and training and accredited educational facilities offering MSW degrees or other degrees recognized by DCFS; and participates in selected conferences and job fairs as the budget allows.

# **ASIAN AMERICAN ADVISORY COUNCIL**

**Sebastian Emmanuel, Acting Chairperson**

**Office Location**

1755 Lake Cook Rd.  
Deerfield, IL 60085

Telephone: (847) 948-6792

[sebastian.emmanuel@illinois.gov](mailto:sebastian.emmanuel@illinois.gov)

The Asian American Advisory Council assists DCFS in providing culturally sensitive, appropriate and competent services to Asian American children and families. The council functions as an advisor to the DCFS director in the provision of services to Asian American employees, clients and its contractors in recruitment, employment, community relations and development and professional development issues. Asian American shall be defined as “a person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.”

The members of the council are volunteers. The advisory council shall consist of a maximum of 21 members, two of whom may be employees of DCFS Child Welfare Contributing Agencies and two of whom are nominated by the DCFS director. Additionally, a minimum of 85% of the advisory council members shall be of Asian origin.

Regular meetings of the advisory council shall be held at least once every other month, for a minimum of six meetings per year. A schedule of meetings, including locations, dates and times, shall be developed annually by the chairperson of the advisory council after consultation with the members of the advisory council.

# LATINO SERVICES

**José J. López, Chief**

## **Office Location**

1911-21 South Indiana Ave., 4th Floor  
Chicago, IL 60616

Telephone: (312) 485-4922

[jose.j.lopez@illinois.gov](mailto:jose.j.lopez@illinois.gov)

The Latino Services chief advises the deputy director of the Office of Diversity, Equity and Inclusion on matters regarding Latino staffing, provider agencies and delivery of services to Latino families; and evaluates DCFS policies and procedures to ensure that they are written in a culturally sensitive matter. The chief also facilitates the development and implementation of long-term strategic goals which maximize services to DCFS Latino clients, agencies, staff and makes recommendations about how to remedy issues which adversely impact the Latino community.

- The Latino Services staff works closely with the director's Latino Advisory Council to address issues which affect services to Hispanic/Latino children and families by providing technical assistance and reviewing all materials being written by the council for distribution in and outside of DCFS.
- Monitors and reviews Hispanic/Spanish-speaking services, assists with recruiting bilingual staff, addresses the need for bilingual field staff in DCFS offices and works on needs assessment reports for bilingual staffing and hiring.
- Works closely with the Office of Employee Services to increase the number of qualified Hispanic/bilingual professional staff. Provides recommendations on key recruitment events that will allow DCFS to maximize its resources to effectively recruit Hispanic/bilingual candidates statewide. Attends job fairs and provides recruitment presentations to students at key colleges and universities and in the Latino community.
- Works with the Office of Communications on the "Yo Soy DCFS" campaign to recruit Hispanic/Spanish bilingual workers. The outreach materials have been developed for the recruitment campaign this year.
- Represents the department on the CMS Hispanic Employment Plan (HEP) quarterly meetings. The HEP committee seeks to promote more hiring of Hispanic/bilingual staff by the state agencies represented on this committee.
- Works with other state agencies representatives, such as IDHS, IDOC and the CMS Diversity Enhancement Office to identify locations to hold Hispanic/bilingual recruitment activities.
- Works closely with the DCFS foster parent recruitment team to identify Latino/Spanish-speaking outreach activities to recruit Spanish-speaking foster homes. OLS staff reviews data to determine locations of Spanish speaking licensed foster homes to inform recruitment.



- Works with the Mexican Consulate's protection staff to address any issues related to the Memorandum of Understanding (MOU) agreement between the Mexican Consulate and DCFS most recently re-signed, in spring, 2023. OLS works closely with the consulate's staff to ensure that the consulate is advised of protective custody cases involving Mexican children.
- Attends community meetings, events and conducted presentations on DCFS programs and services. OLS acts as a liaison to Latino community-based organizations, Latino regional coalitions and Latino elected officials to try to eliminate any barriers Spanish-speaking families may encounter when working with DCFS.
- Maintains a listing of statewide Latino events which are forwarded to various DCFS divisions such as: the Office of Employee Services, Communications, Latino Advisory Council and foster parent recruitment staff and to other state agencies at their request.
- Staff assists the Be Strong Families staff and the Latino Advisory Council on recruiting and supporting Latino youth in care in the Latino Youth Advisory Affinity Group (YAAG).
- Staff also assists with updating division reports, such as the Affirmative Action Plan, the workforce quarterly reports, annual ICWA, tribal Title IV-E Reports and U-Visa; and assists with the paperwork needed to post job openings for the division.

# LATINO ADVISORY COUNCIL

**Damaris Acevedo, Acting Chairperson**

[damaris.acevedo@illinois.gov](mailto:damaris.acevedo@illinois.gov)

**Evelyn Martinez, Chair-Elect**

[evelyn.martinez@illinois.gov](mailto:evelyn.martinez@illinois.gov)

## **Office Location**

1911 S. Indiana Ave., Chicago, IL 60616

The Latino Advisory Council (LAC), formerly the Hispanic Advisory Committee, was originally formed in the fall of 1989 with the mandate to advise the director and the Cook County regional administrator in the matters of service provision to Latino clients by DCFS and its contractual agencies, establish and strengthen relationships in the Latino community and address personnel issues involving Latino employees. Throughout the years, the participation of many DCFS and private agency employees on the Latino Advisory Council has contributed to providing a voice for the Latino community within DCFS to assure quality service provision.

**Mission:** The Latino Advisory Council, in advising the director, is dedicated to representing and advocating on behalf of the Latino children and families that the department serves by identifying and assisting in the development of culturally, linguistically and clinically competent resources, by shaping best practice child welfare policies and by promoting the values of social justice.

The council's statewide goals are:

1. The hiring and retention of bilingual staff.
2. The recruitment and retention of Spanish speaking foster homes and the provision of Spanish language training for Spanish speaking foster parents.
3. The provision of services for Spanish speaking children, youth and families.
4. Plan and present two conferences annually; one focused on professional development and another on child welfare best practices.
5. Ensure that the needs assessments which are conducted by the department are inclusive of Latino Spanish speaking children, youth and families.
6. Advise the director of concerns reported to LAC by Child Welfare Contributing Agencies and provide recommendations that address those concerns.
7. Meet with the director on regular basis to review past recommendations, new concerns and to present solution driven recommendations.

The members of the council are volunteers. The council is comprised of 21 members, 14 of whom are from DCFS and seven of whom are employees of child welfare and/or social service agencies under contract with DCFS that provide Spanish-speaking services. Members are elected to a two-year term by a majority vote of the council members and may be re-elected after their initial term expires. Elections for retention of members who have completed their two-year term are held every other year in February.

The council has the following working committees to carry out the goals, objectives and strategies determined by the membership:

1. Child Safety, Risk Reduction and Permanency
2. Data Analysis, Disproportionality and Staffing
3. Strategic Communications
4. CWCA Collaboration
5. The Professional Development Day Planning
6. The Latino Family Institute Planning

Regular meetings of the council are held every third Wednesday of the month. A schedule of meetings, including locations, dates and times are developed in December during the annual LAC retreat.

# LGBTQI+ SERVICES

Marla Courts, Chief

## Office Location

1911-21 South Indiana Ave., 4th Floor  
Chicago, IL 60616

Telephone: (312) 328-2305

[marla.e.courts2@illinois.gov](mailto:marla.e.courts2@illinois.gov)

The chief of LGBTQI+ Services advises the deputy director of the Division of Diversity, Equity and Inclusion on matters regarding service delivery to LGBTQI+ staff, clients and provider agencies. The chief of LGBTQI+ Services also evaluates DCFS policies and procedures to ensure that they are culturally sensitive and supporting of an inclusive and affirming environment. The chief of LGBTQI+ Services facilitates the development and implementation of long-term strategic goals which maximize service to DCFS LGBTQI+ clients, agencies and staff and makes recommendations about how to remedy issues that adversely impact the LGBTQI+ community in several ways.

- **Advocacy**

Assists in examining internal and external complaints regarding alleged unfair or discriminatory matters regarding services and service delivery. Advocates on behalf of families and staff who allege unfair treatment or are subjected to culturally insensitive treatment. Works to promote a more affirming and inclusive process.

- **Cultural Training and Workshops**

Makes recommendations for training and workshops on issues about culture, well-being and special needs of LGBTQI+ children and families. In collaboration with other divisions, develops proposals for staff career development, community forums and culturally sensitive services. Conducts discussions/training programs that promote diversity and inclusion.

- **Recruitment Programs**

Assists in the development of recruitment programs for employment and foster and adoptive homes in partnership with agency recruitment specialists and the Communications Division. Assist in the contractual development for recruiting new program options for the LGBTQI+ population that include safe housing and placement options based on Sexual Orientation Gender Identity Expression (SOGIE) status.

- **LGBTQI+ Youth Advisory Affinity Group (YAAG)**

Serves as the liaison and provides assistance for the LGBTQI+ Affinity Group. Assists with highlighting LGBTQI+ history and providing a safe space for youth to communicate freely. Works closely with partnering agencies and LGBTQI+ youth ambassadors.

# NATIVE AMERICAN SERVICES

**Ryann Unabia, ICWA Specialist**

[ryann.unabia@illinois.gov](mailto:ryann.unabia@illinois.gov)

**Ellen M. Williams, ICWA Specialist**

[ellen.williams@illinois.gov](mailto:ellen.williams@illinois.gov)

## **Office Location**

1911-21 South Indiana Ave., 4th Floor  
Chicago, Illinois 60616

Telephone: (312) 328-2723 or (312) 808-5000

The Indian Child Welfare Act specialists offer their unique and culturally relevant suggestions to the Division of Diversity, Equity and Inclusion's deputy director and DCFS on the best methodologies to provide services for American Indian/Alaskan Native children and families who are covered by the Indian Child Welfare Act (ICWA) of 1978.

The ICWA specialist's essential goals are to provide safe and equitable reduction of Native American children in foster care and to ensure the agency provides active efforts on substitute care and in-home cases and prevent children from entering care. ICWA specialists provide leadership and direction to ensure that DCFS adheres to the intent of the federal law regulating services to Indian children and families, the Indian Child Welfare Act of 1978 and diversity matters related to Native Americans. The ICWA specialists offer guidance and suggestions on agency policies and procedures to remove barriers to achieve the goals and the spirit of ICWA for DCFS families receiving services. To accomplish these tasks, the ICWA specialists work with caseworkers, foster parents, parents, legal and service providers to develop and monitor the implementation and outcomes of the statewide strategies to strengthen compliance with ICWA.

Over the past year, the ICWA specialists served as liaisons between DCFS and the Chicago Native community. DCFS has conducted formal outreach at several Chicago Native community events where DEI was present with Office of Employee Services for the recruitment of professional Native employees and the Recruitment team where the focus was to recruit Native foster parents.

ICWA and DEI initiatives include:

- Advocating for ICWA verified cases in court.
- Verifying tribal eligibility and help enrollment when appropriate.
- Identifying and tracking ICWA homes and licensed Native foster parents.
- Strengthening connections with Native community organizations and tribes.
- Raising awareness about ICWA and the Native diversity in Illinois.
- Expanding the ICWA advisory council to incorporate more stakeholders.
- Inaugural job fair with Native organization involvement.
- Field research on how ICWA is involved throughout a case.
- Creating and maintaining an accessible calendar of Native community events and information sessions.
- Presentations and Q & A sessions for the community.

# ILLINOIS INDIAN CHILD WELFARE ADVISORY COUNCIL

## **Purpose:**

With respect and humility, the Illinois Indian Child Welfare Advisory Council shall advise, consult and advocate for children and families who fall within the coverage of the Indian Child Welfare Act (ICWA) of 1978, 25 U.S.C. 1901-63 et seq., as amended.

## **Core Values:**

Respect, love, wisdom, honesty, bravery, humility, courage, integrity, knowledge, creativity and openness.

The Illinois Indian Child Welfare Advisory Council assists DCFS in providing culturally sensitive, appropriate and competent services to American Indian/Alaska Native children and families who fall within the protection of ICWA.

The Illinois Indian Child Welfare Advisory Council seeks to facilitate an open dialogue between DCFS and the Native American community by engaging Native American leaders statewide to assist DCFS in preserving the culture of American Indian/Alaska Native children who are at risk of not being identified or denied their heritage by being placed outside of their Indian communities.

SECTION

**2**





## **PROMOTABLES (By Categories)**

Listed here are the EEO categories which in the past have been promoted into higher EEO categories by the Department of Children and Family Services

### **Promotables to the Officials/Administrators**

Professionals

Technicians

### **Promotables to the Professionals**

Technicians

Paraprofessionals

Administrative Support

### **Promotables to the Technicians**

Paraprofessionals

Administrative Support

### **Promotables to the Para-Professionals**

Administrative Support

### **Promotables to the Administrative Support**

None

### **Promotables to the Skilled Craft**

None

### **Promotables to the Service Maintenance**

None

**ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**JOB TITLES BY EEO CATEGORIES**

**OFFICIAL/MANAGER**

Child Welfare Staff Development Coordinator IV  
Public Information Officer IV  
Public Service Administrator Senior  
Public Service Administrator

**PROFESSIONAL**

Accountant Advanced  
Accountant Supervisor  
Accounting and Fiscal Administration Career Trainee  
Administrative Assistant I, II  
Business Manager  
Child Protection Advanced Specialist  
Child Protection Specialist  
Child Welfare Administrative Case Reviewer  
Child Welfare Advanced Specialist  
Child Welfare Associate Specialist  
Child Welfare Court Facilitator  
Child Welfare Nurse Specialist  
Child Welfare Senior Specialist  
Child Welfare Specialist  
Child Welfare Staff Development Coordinator I, II, III  
Child Welfare Supervisor  
Children & Family Services Intern I, II  
Day Care Licensing Representative I, II

Executive I, II  
Human Resources Representative  
Human Resources Specialist  
Human Rights Investigator I, II  
Information System Analyst  
Internal Auditor  
Internal Auditor Trainee  
Internal Security Investigator I, II Legal  
Research Assistant Management  
Operations Analyst I, II  
Management Operations Analyst Trainee  
Management Systems Specialist  
Methods & Procedures Advisor I, II, III  
Paralegal Assistant  
Public Information Officer I, II, III  
Reimbursement Officer I, II  
Social Service Program Planner I, II, III, IV  
Technical Advisor I, II, III  
Telecommunication Systems Analyst

## **TECHNICIAN**

Account Technician I, II  
Assistant Reimbursement Officer  
Data Processing Administrative Specialist  
Data Processing Supervisor I, II, III  
Data Processing Technician Trainee  
Telecommunications Systems Technician I, II, III

## **PARA-PROFESSIONAL**

Child Development Aide III  
Executive Secretary I, II, III  
Human Resource Associate  
Human Resource Trainee  
Methods and Procedures Career Office  
Associate I  
Office Administrative Specialist  
Office Administrator III, IV, V  
Office Coordinator  
Office Specialist  
Private Secretary I, II  
Social Services Aide  
Social Service Community Planner  
Student Worker

## **ADMINISTRATIVE SUPPORT**

Account Clerk I, II  
Child Development Aide  
Data Processing Assistant  
Data Processing Operator  
Data Processing Operator Trainee  
Microfilm Operator II, III  
Office Administrator I  
Office Aide  
Office Assistant (Option 1, 2, 3)  
Office Associate (Option 1, 2, 3)  
Office Clerk (Option 1, 2, 3)  
Reproduction Service Technician I

## **SKILLED CRAFT**

Reproduction Service Supervisor I, II

## **SERVICE MAINTENANCE**

Building/Grounds Laborer  
Store Clerk  
Storekeeper I, II, III

## **INTERNAL WORKFORCE ANALYSIS SUMMARY – FY 2024**

Workforce transactions which occurred within the Illinois Department of Children & Family Services from July 1, 2023 through June 30, 2024 are as follows:

- 1. There were 972 New hires, of which:**
  - a. 373 (38%) were Caucasian
  - b. 505 (51%) were African American
  - c. 71 (7%) were Hispanic
  - d. 22 (2%) were Asian American
  - e. 1 (1%) were Native American
  - f. None were Native Hawaiian or Pacific Islander
- 2. There were 232 Promotions, of which:**
  - a. 95 (41%) were Caucasian
  - b. 108 (47%) were African American
  - c. 20 (9%) were Hispanic
  - d. 6 (1%) were Asian American
  - e. 2 (1%) were Native American
  - f. 1 (1%) were Native Hawaiian or Pacific Islander
- 3. There were 35 Suspensions, of which:**
  - a. 10 (29%) were Caucasian
  - b. 21 (60%) were African American
  - c. 4 (11%) were Hispanic
  - d. None were Asian American
  - e. None were Native American
  - f. None were Native Hawaiian or Pacific Islander
- 4. There were 375 Separations, of which:**
  - a. 154 (41%) were Caucasian
  - b. 181 (48%) were African American
  - c. 24 (6%) were Hispanic
  - d. 9 (2%) were Asian American
  - e. 6 (2%) were Native American
  - f. 1 (1%) were Native Hawaiian or Pacific Islander
- 5. There were 23 Discharges, of which:**
  - a. 2 (9%) were Caucasian
  - b. 18 (78%) were African American
  - c. 2 (9%) were Hispanic
  - d. None were Asian American
  - e. 1 were Native American
  - f. None were Native Hawaiian or Pacific Islander
- 6. There were no Layoffs**
- 7. There were no Demotions**
- 8. There were no Voluntary Reductions**
- 9. There were no Reinstatements**
- 10. There were no Reemployments**
- 11. There were no Upward Reallocations**
- 12. There were no Downward Reallocations**

## **FINAL AVAILABILITY ANALYSIS**

(TOO VOLUMINOUS TO INCLUDE IN PRINTED AFFIRMATIVE ACTION PLAN)

# TRANSACTIONS DEFINITIONS

**For purposes of preparing this report, the following definitions should be used.**

**New hire:** This involves a person hired into or appointed to a position within an agency in which he/she either has no prior agency history or whose recent employment experience was not with the hiring agency. (These transactions would consist of any type of new appointment or the movement of an individual between agencies or merit systems).

**Promotion:** These transactions occur when an employee is advanced to a position with a higher salary range than his/her previous position, if within the same agency.

**Intra-agency transfer:** These transactions occur when an employee is transferred to a position of the same class to which appointed or to a position including similar qualifications, duties, responsibilities and salary range, in another division, section or other unit.

**Suspension:** These transactions involve a temporary removal from payroll for disciplinary reasons.

**Separation:** These transactions involve an employee who voluntarily leaves state service.

**Discharge:** This occurs when an employee is terminated for cause.

**Layoff:** These transactions occur with the placement of an employee in non-paid, non-working status without prejudice either temporarily or indeterminately.

**Demotion:** These transactions occur when an employee is assigned to a vacant position in a class having a lower maximum permissible salary or rate than class from which the demotion was made for reasons of inability to perform the work, if within the same agency.

**Reduction:** These transactions involve the voluntary or involuntary movement of an employee to a vacant position in a class having a lower maximum permissible salary range, if within the same agency.

**Reinstatement:** These transactions occur when a former certified employee who resigned or terminated in good standing or whose position was reallocated downward or who was laterally transferred or whose name was placed on a reemployment list, if within the same agency.

**Reemployment:** These transactions occur when a certified employee is restored to an active work status after being selected from an official Recall/Re-employment List obtained from the Department of Central Management Services, if within the same agency.

**Upward reallocation:** These transactions occur when the classification of an employee to a position with a classification of higher salary range resulting from the assignment of increased responsibilities making a higher position title more appropriate.

**Downward reallocation:** These transactions occur when the classification of an employee changes to a position with a classification of a lower salary range resulting from the changes in assigned duties, which have fewer responsibilities.

May 08

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SECTION

**3**



# FY 2025 GOALS, TIMETABLES AND MONITORING PROCEDURES NUMERICAL GOALS

## DHR REGIONAL GOALS - 56

**1. AREAS TO BE ADDRESSED - Latino (3)**

There is an underutilization of 2 Latino people in the Professional and 1 person in the Technician category.

**GOAL**

Reduce the overall agency underutilization of Latino persons in the Professionals and Technician category by the end of the fiscal year.

**OBJECTIVE**

Increase the number of Latino persons in the Professional category in Region 10 and Technician in Region 1 where underutilization exists.

**ACTION ITEM**

All administrators have been instructed to submit all requests to fill vacancies in goal-related categories to the deputy directors of the Office of Employee Services and the Division of Diversity, Equity and Inclusion prior to filling vacancies as specified by the Hiring and Promotion Monitor Forms.

**ASSIGNMENT OF RESPONSIBILITY**

Kimberly Bates, Deputy Director, Office of Employee Services  
Daniel L. Fitzgerald, Deputy Director, Division of Diversity, Equity and Inclusion

**Table 1. Completion Target Date–Quarterly Goal of Latino Persons**

Category	Total Underutilization	9/30/24	12/31/24	3/31/25	6/30/25
Technicians	1				1
Professional	2				2

**MONITORING PROCEDURES**

Continue monitoring the agency’s hiring and promotion monitor reports on an ongoing basis relative to the filling of vacancies in goal-related categories and where offices are underutilized in Latino persons.

**2. AREAS TO BE ADDRESSED-** Asian American (49)

There is an agency underutilization of Asian American persons in the Professionals and Para-Professionals categories.

**GOAL**

Reduce the agency’s underutilization of Asian American persons in the Professionals and Para-Professionals categories by the end of the fiscal year.

**OBJECTIVE**

Increase the number of Asian American persons in the Professionals category in Regions 1, 2, 3, 5, 6, 7, 8, 9 and 10 and Para Professionals in Region 1 where underutilization exists.

**ACTION ITEM**

All administrators have been instructed to submit all requests to fill vacancies in goal-related categories to the deputy directors of the Office of Employee Services and the Division of Diversity, Equity and Inclusion prior to filling vacancies as specified by the Hiring and Promotion Monitor Form.

**ASSIGNMENT OF RESPONSIBILITY**

Kimberly Bates, deputy director, Office of Employee Services

Daniel L. Fitzgerald, deputy director, Division of Diversity, Equity and Inclusion

**Table 2. Completion Target Date–Quarterly Goal of Asian American Persons**

Category	Total Underutilization	9/30/24	12/31/24	3/31/25	6/30/25
Professionals	48				48
Para-Professionals	1				1

**MONITORING PROCEDURES**

Continue monitoring the agency’s hiring and promotion monitor reports on an ongoing basis relative to the filling of vacancies in goal-related categories and where regions are underutilized in Asian American persons.

**3. AREAS TO BE ADDRESSED-** People with Disabilities (102)

There is an underutilization of People with Disabilities (PWD) across all job categories agency wide.

**GOAL** – Reduce the overall agency underutilization of PWD by the end of the fiscal year.

**OBJECTIVE** – Increase the number of PWD agency wide.

**ACTION ITEM** – The Office of Employee Services and the Division of Diversity, Equity and Inclusion will collaborate to ensure that employees who self-report disabilities are being tracked and coded correctly. The Office of Employee Services will continue to work with disability organizations to identify and recruit employees with disabilities and review available eligibility lists.

**ASSIGNMENT OF RESPONSIBILITIES**

Kimberly Bates, deputy director, Office of Employee Services

Daniel L. Fitzgerald, deputy director, Division of Diversity, Equity and Inclusion

**Table 3. Completion Target Date–Quarterly Goal of People with Disabilities**

Category	Total Underutilization	9/30/24	12/31/24	3/31/25	6/30/25
All Categories	102				102

**MONITORING PROCEDURE**

Continue monitoring the agency’s hiring and promotion monitor reports on an ongoing basis relative to the filling of vacancies in goal-related categories and where offices are underutilizing people with disabilities.

**4. AREAS TO BE ADDRESSED- African Americans (4)**

There is an agency underutilization of three African American people Professionals and one person in the Technicians categories.

**GOAL** – Reduce the agency’s underutilization of African American people in the Professionals and Technicians categories by the end of the fiscal year.

**OBJECTIVE** – Increase the number of African American people in the Professionals category, in Region 10 and Technicians category in Region 1 where underutilization exists.

**ACTION ITEM** – All administrators have been instructed to submit all requests to fill vacancies in goal-related categories to the Deputy Directors of the Office of Employee Services and the Division of Diversity, Equity and Inclusion prior to filling vacancies as specified by the Hiring and Promotion Monitor Form.

**ASSIGNMENT OF RESPONSIBILITIES**

Kimberly Bates, deputy director, Office of Employee Services

Daniel L. Fitzgerald, deputy director, Division of Diversity, Equity and Inclusion

**Table 4. Completion Target Date–Quarterly Goal of African American Persons**

Category	Total Underutilization	9/30/24	12/31/24	3/31/25	6/30/25
Professionals	3				3
Technicians	1				1

**MONITORING PROCEDURE**

Continue monitoring the agency’s hiring and promotion monitor reports on an ongoing basis relative to the filling of vacancies in goal-related categories and where regions are underutilized in African American persons.

## PROGRAM GOALS FY2025

**AREA TO BE ADDRESSED**

**African American Services-Cultural Competence**

**GOAL 1**

Celebrate History/Heritage through the African diaspora.

**OBJECTIVE**

Celebrate awareness of African American history.

Action Items	Assignment of Responsibility	Completion Target Date	Monitoring Procedure
1. Celebrate history/heritage through the African diaspora through events in collaboration with the African American Advisory Committee.	Divisions of EEO/DEI and Communications	Ongoing	Review annually
2. Update information on the D-Net in effort to continuously provide pertinent information about African American history.	Divisions of EEO/DEI and Communications	Ongoing	Review annually
3. Promote and increase positive involvement of African American families involved with DCFS.	Divisions of EEO/DEI and Communications	Ongoing	Review annually

**AREA TO BE ADDRESSED**

**African American Services-Partnerships**

**GOAL 2**

Enhanced relationships with community partners.

**OBJECTIVE**

Develop more partnerships with community partners around DCFS initiatives.

Action Items	Assignment of Responsibility	Completion Target Date	Monitoring Procedure
1. Work with community partners and the agency on Cultural Sensitivity campaign ( <i>"If this child was mine"</i> ).	Divisions of EEO/DEI, Operations and Communications	Ongoing	Review data to determine if campaign has impact
2. Work with the agency and community partners to implement DCFS initiatives.	Divisions of EEO/DEI, Operations, Licensing and Communications	Ongoing	Review annually
3. Continue work with African American Advisory Committee on ways to strengthen community ties.	Divisions of EEO/DEI, Operations, Licensing and Communications	Ongoing	Review annually

**AREA TO BE ADDRESSED**

**Recruitment of African American foster homes**

**GOAL 3**

To engage in foster home recruitment in African American communities.

**OBJECTIVE**

To increase the number of African American/ally foster homes.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Create workgroup that includes the Divisions of EEO/DEI, Racial Equity Practice, Office of Employee Services and Communications to discuss recruitment plan.	Divisions of EEO/DEI, Operations, Licensing and Communications	Ongoing	Request and review data reports regarding foster home placement
2. Update recruitment plans.	Divisions of EEO/DEI, Operations, Licensing and Communications	Ongoing	Review annually
3. Continue outreach to identified African American foster home areas.	Divisions of EEO/DEI, Operations, Licensing and Communications	Ongoing	Analyze areas of need for foster home placement
4. Implement the plan, attend community events where African American/ally foster homes can be recruited.	Divisions of EEO/DEI, Operations, Licensing and Communications	Ongoing	Identify events that potentially produce effective outcomes

**AREA TO BE ADDRESSED**

**African American Services – Employee Relations**

**GOAL 4**

Strengthen DCFS commitment pay equity.

**OBJECTIVE**

Create a culture shift toward greater understanding and awareness of Equity, Diversity and Inclusion.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Collaborate with Employee Services and Communications on ways to increase staff awareness and understanding of the department's commitment to pay equity.	Divisions of EEO/DEI, Employee Services	Ongoing	Request and review data reports regarding diversity and inclusion
2. Review pay equity from DEI lens.	Divisions of EEO/DEI, Employee Services	Ongoing	Review annually
3. Analyze data.	Divisions of EEO/DEI, Operations and Communications	Ongoing	Identify potentially systemic variants



**AREA TO BE ADDRESSED**

**Asian American Staff Underutilization**

**GOAL 1**

To engage in employment recruitment in the Asian American community.

**OBJECTIVE**

To increase the number of Asian American staff to eliminate underutilization.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Meet with the Asian American Advisory Council to identify current Asian American staff.	EEO/DEI chief, deputy of the Office of Employee Services or their designees	Ongoing	List of identified Asian American employees
2. Outreach to the identified employees for recruitment referrals and suggestions.	EEO/DEI chief and the chief of Asian American Services	Ongoing	Communicate with employees requesting referrals and suggestions for recruitment
3. Schedule a meeting with EEO/DEI chief and deputy of the Office of Employee Services or their designees to identify and discuss additional areas for recruitment.	EEO/DEI chief and the deputy of the Office of Employee Services or their designees	Ongoing	Review and update Recruitment Plan
4. Develop a targeted outreach and recruitment plan; create a list of organizations and agencies providing services to the Asian Community.	EEO/DEI chief and deputy of the Office of Employee Services or their designees	Ongoing	Review and update Recruitment Plan
5. Implement plan; continue to build and develop a relationship with the Asian American community; attend employment recruitment events in Asian American community.	EEO/DEI chief and deputy of the Office of Employee Services or their designees	Ongoing	List of recruitment events attended
6. Analyze the Affirmative Action Underutilization formula for Asian Americans statewide	EEO/DEI chief, chief of Asian American Services and chief of Latino Services	Ongoing	Meet with Human Rights to review the formula used to determine Asian underutilization

**AREA TO BE ADDRESSED**

**Latino Services – Recruitment of Hispanic/Spanish Bilingual Staff**

**GOAL 1**

To engage in employment recruitment in the Latino community.

**OBJECTIVE**

To increase the number of Hispanic/Spanish bilingual staff.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Gather a list of Latino events to identify and attend to recruit Hispanic/bilingual candidates.	Latino Services	Ongoing	Ongoing List of Latino Services
2. Monitor Spanish bilingual staff allocation statewide. Meet with Latino Advisory Council on bilingual staffing issues.	EEO/DEI chief, Latino Advisory Council and Latino Services	Ongoing	Review staff and census data
3. Identify colleges and universities with a high concentration of Hispanic/Spanish bilingual speaking students to reach out to them.	Latino Services, student intern section	Ongoing	Presentations and follow-up
4. Continue outreach to the identified bilingual candidates and seek recruitment opportunities to coordinate and schedule recruitment events.	EEO/DEI chief, Employee Services, Latino Services	Ongoing	Social media, outreach letters or emails
5. Work on the “Soy DCFS” recruitment campaign.	Communications, OES and DEI	Ongoing	Monitoring progress
6. Schedule meetings with the EEO/DEI chief, deputies of Employee Services, Communications and Training and chief of Latino Services or their designees to discuss bilingual staff recruitment.	EEO/DEI chief, deputy of the Office of Employee Services, Communications, and Training, Chief of Latino Services or their designees	Ongoing	Scheduling ongoing meetings
7. Assist with the completion of the CMS Hispanic Employment Plan Report by the deadline.	EEO/DEI chief, Latino Services and Office of Employee Services	Ongoing	Submit report by deadline
8. Complete a Needs Assessment on DCFS bilingual staff statewide.	EEO/DEI chief, chief of Latino Services	Ongoing	Completed annually
9. Work with OES staff on Latino underutilization statewide	Office of Employee Services and Latino Services	Ongoing	Schedule recruitment presentations and outreach in those regions

**AREA TO BE ADDRESSED**

**Latino Services – Recruitment of Spanish-Speaking Foster Homes**

**GOAL 2**

To engage in the foster parent recruitment in the Latino communities statewide.

**OBJECTIVE**

To increase the number of Spanish-speaking foster homes.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Gather a list of Latino events to identify and attend events where Spanish-speaking homes can be recruited.	Latino Services	Ongoing	Ongoing List of Latino Services
2. Monitor the number of Spanish-speaking foster homes statewide. Obtain data reports showing existing foster homes.	Resources and Recruitment Team, Latino Advisory Council and Latino Services	Ongoing	Continue monitoring data reports
3. Work with Resources and Recruitment team, Communications and Office of Employee Services to conduct outreach and identify recruitment opportunities.	Office of Employee Services, Communications, Resources and Recruitment team and Latino Services	Ongoing	Keep a list of outreach activities, such as: social media, outreach materials and presentations.

**AREA TO BE ADDRESSED**

**ICWA Goals**

**GOAL 1**

Continue to build a relationship with the Native American community within the State of Illinois

**OBJECTIVE**

Improve and develop community partnerships to further support the mission of DCFS.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Table outreach events within the Native American community	ICWA Specialists	Ongoing	Emails, events attended and monthly reports
2. Continue to work with the ICWA council to further strengthen community relations.	ICWA Specialists	Ongoing	Emails, ICWA Council meetings, monthly reports
3. Be available to Native community for various ICWA trainings, needs, etc.	ICWA Specialists	Ongoing	Emails, events, monthly reports

**AREA TO BE ADDRESSED**

**ICWA Goals**

**GOAL 2**

Implement statewide training for attorneys, state’s attorneys and judges regarding ICWA law/ compliance and ICWA training for caseworkers and service providers.

**OBJECTIVE**

To educate the state’s child welfare team on how to follow the ICWA law by making the training more user friendly and to identify more of our Native children who may be in care so they can have access to more resources that are pertinent to them.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Create training presentation	ICWA Specialists	Ongoing	Emails, training presentation and monthly reports
2. Make training available to department	ICWA Specialists, deputy director	Ongoing	Emails, presentations, monthly reports

**AREA TO BE ADDRESSED**

**ICWA Goals**

**GOAL 3**

Engage in foster home recruitment in Native American communities.

**OBJECTIVE**

To increase the number of Native families aware of the need to become foster homes and to increase the number of licensed Native foster homes.

<b>Action Items</b>	<b>Assignment of Responsibility</b>	<b>Completion Target Date</b>	<b>Monitoring Procedure</b>
1. Write a Native foster home recruitment plan.	ICWA Specialists	June 30, 2024	Monthly reports and a Native foster home recruitment plan
2. Include Resources and Recruitment at our Native American community outreach tabling events.	ICWA Specialists	Ongoing	Emails, events attended and monthly reports
3. Continue to conduct outreach to Native American community for foster parent recruitment.	ICWA Specialists	Ongoing	Emails, events attended and monthly reports

SECTION

**4**



# COMPLAINT PROCESS

If an employee, applicant for employment or service recipient believes discrimination has occurred, the person is encouraged to file a complaint with the DCFS Division of Diversity, Equity and Inclusion. All complaints must be memorialized in a written statement of the complaint and filed with the Division of Diversity, Equity and Inclusion within 180 days of the alleged discriminatory act(s).

Discrimination complaints may allege violations of law based on race, color, gender, gender identification, sexual orientation, sexual harassment, religion, age, national origin, ancestry, physical or mental disability, marital status, citizenship status, arrest record, retaliation, aiding and abetting, coercion, military service which includes veteran's status and unfavorable military discharge. The complaint process also includes alleged violations of the Rehabilitation Act of 1973, 29 U.S.C. 701 et seq., as amended, and the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq., as amended. The steps in the Division of Diversity, Equity and Inclusion complaint process are as follows:

## 1. Receipt of Complaints

Upon receipt of a formal complaint, the complaint is date-stamped, logged in and information sufficient to identify the complaint is recorded in the log. A file is opened and forwarded to the deputy director of the Division of Diversity, Equity and Inclusion.

## 2. Assignment of Complaints/Notification of Department or Staff

Each case is assigned within five working days of receipt of the written complaint. If the complaint does not set forth sufficient information concerning the alleged discriminatory act(s), the Division of Diversity, Equity and Inclusion will contact the complainant in an effort to secure additional information. The staff person assigned the case issues written notification of receipt of the complaint to the administrative head of the region or administrative unit from which the complaint originates. This notification includes a copy of the written complaint and indicates that an investigation is being initiated. The appropriate staff will be asked to provide a written response to the complaint and other pertinent information to the Division of Diversity, Equity and Inclusion. Notice of the complaint is also provided to the DCFS director and other appropriate department staff as necessary.

## 3. Informal Complaint

An informal complaint is any verbal or written complaint of alleged discrimination that does not result in an internal investigation of the allegations because the complainant decides to withdraw the complaint either prior to or soon after consulting with the Division of Diversity, Equity and Inclusion. The complainant is also advised of his/her right to file charges through other available means. A record of each such complaint, including information sufficient to identify the complaint and the nature of the complaint, will be maintained in a Division of Diversity, Equity and Inclusion file. Final disposition of all informal complaints will be made with the approval of the deputy director of the Division of Diversity, Equity and Inclusion.

## 4. Formal Complaint

A formal complaint is a written complaint of discrimination which is not withdrawn after the complainant has consulted with the Division of Diversity, Equity and Inclusion. The Division of Diversity, Equity and Inclusion conducts an internal investigation of the complaint and provides a report of the findings to the IDCFS director. All formal complaints must be filed with the Division of Diversity, Equity and Inclusion within 180 days of the alleged discriminatory act(s). All formal complaints are handled in a manner which does not jeopardize the complainant's administrative right to file complaints with other federal and/or state agencies.

## **5. Investigation – Substantiated Complaint**

In those instances where the investigation uncovers evidence to support the complaint, a written report of the investigation findings is provided to the DCFS director and other appropriate management personnel. The report also includes recommendations for conciliation efforts. The complainant will be notified of the results of the investigation and advised of their right to pursue their complaint through other available means.

## **6. Investigation – Unfounded Complaint**

If the allegations alone do not constitute a violation of discrimination laws, the complainant is notified of the determination and advised of their right to pursue the complaint through other available means.

## **7. Investigation – Unsubstantiated Complaint**

If the investigation of the allegations does not uncover evidence to support the complaint, a written report is provided to the DCFS director. The complainant is also notified of the investigation findings and advised of their right to pursue the complaint through other available means.

## **8. Investigation – Referral**

If the investigation of the allegations uncovers alleged improprieties that are not discriminatory in nature or are not committed by DCFS, the Division of Diversity, Equity and Inclusion will refer the complainant to the appropriate DCFS division or appropriate local, state or federal agency to pursue the complaint.

## **9. Investigation – Deferral**

If the complainant files a complaint with another state or federal agency which encompasses the same allegations as those reflected in the Division of Diversity, Equity and Inclusion complaint prior to the conclusion of the Division of Diversity, Equity and Inclusion's investigation, the Division of Diversity, Equity and Inclusion will defer its investigation to the investigation pending before the outside agency.

## **10. Investigation – Administrative Closure**

If the complainant fails to provide information or documents necessary to complete a complaint or otherwise fails to cooperate with the investigator, the Division of Diversity, Equity and Inclusion will close its investigation of the complaint.

## **11. Disposition of Complaint Material**

Any written material or other information gathered and/or compiled as part of the investigation of a complaint becomes part of a complaint's Division of Diversity, Equity and Inclusion file. It is the responsibility of the staff person assigned to the case to ensure that all materials in the file are complete. All investigations will be handled in a confidential manner. Files will be maintained in accordance with the State Records Act and other applicable legal requirements.



# **INSTRUCTIONS FOR FILING A DISCRIMINATION COMPLAINT WITH THE DIVISION OF DIVERSITY, EQUITY AND INCLUSION**

## **Who can file a Complaint?**

Any DCFS employee or applicant for employment, any applicant or recipient of department services or any applicant or recipient of contractual services provided at the direction of DCFS.

## **When can a Discrimination Complaint be filed?**

If you feel that you have been discriminated against because of your race, color, sex, sexual orientation, religion, age, veteran status, national origin, ancestry, language, handicap/disability, military discharge or marital status in any terms of employment, conditions, compensation or privileges of employment, opportunities and/or service delivery practices, and you have tried unsuccessfully to resolve the problem with the immediate supervisor, you can file a complaint with the Division of Diversity, Equity and Inclusion. Complaints must be filed within 180 days of the alleged discriminatory act.

## **How do you file a Complaint?**

Complete the Discrimination Complaint Form and submit it to:

Division of Diversity, Equity and Inclusion  
Illinois Department of Children and Family Services  
1911 South Indiana Avenue, 4th Floor  
Chicago, Illinois 60616

## **What happens after the Complaint is filed?**

The Division of Diversity, Equity and Inclusion will conduct an internal investigation and make a recommendation within 30 working days, whenever possible, to the DCFS director and/or other appropriate management personnel regarding whether the complaint is substantiated, unfounded, or unsubstantiated. The Division of Diversity, Equity and Inclusion may recommend conciliation if the complaint is substantiated. If the complaint is unsubstantiated or unfounded, conciliation will not be recommended. All complainants are notified of the results of investigations, regardless of the findings, and of their right to pursue the complaint through other available means with an outside agency such as:

### **Illinois Department of Human Rights**

555 W Monroe St, 7th Floor  
Chicago, IL 60661  
(312) 814-6200 & (312) 814-4320  
(866) 740-3953 (TTY)

### **Illinois Department of Human Rights**

524 S 2nd St, Ste 300  
Springfield, IL 62701  
(217) 785-5100  
(866) 740-3953 (TTY)

### **U.S. Department of Health and Human Services**

Office for Civil Rights  
233 N Michigan Ave, Ste 240  
Chicago, IL 60601  
(312) 886-2359  
(312) 353-5693 (TDD)

### **John C. Kluczynski Federal Building**

230 S Dearborn St, Chicago, IL 60604  
Ste 1866 (Enforcement, State & Local Hearings)  
Ste 2920 (Legal & ADR)  
(312) 872-9777  
Enforcement/File Disclosure Fax (312) 558-1200  
[www.eeoc.gov](http://www.eeoc.gov)

Submit Form To:  
Office of Affirmative Action  
1911 South Indiana Ave., 4th Fl.  
Chicago, IL 60616  
(312) 328-2495  
or  
406 E. Monroe, 5<sup>th</sup> Fl.  
Springfield, IL 62701

Department of Children and Family Services  
Office of Affirmative Action  
DISCRIMINATION COMPLAINT FORM

1. Name \_\_\_\_\_
2. Address \_\_\_\_\_  
\_\_\_\_\_  
(Work Location) (Home Address)
3. Telephone \_\_\_\_\_  
(Work) (Home Telephone)
4. Job Title \_\_\_\_\_  
(Payroll Title) (Unit)
5. Supervisor \_\_\_\_\_  
(Name) (Phone)
6. Length of Time in Current Position \_\_\_\_\_
7. Date of Alleged Discriminatory Act(s) \_\_\_\_\_
8. Basis of Alleged Discriminatory Practice:  
 Race  Age  Disability  
 Color  Religion  Sexual Harassment  
 Sex  National Origin  Retaliation  
 Sexual Orientation  Veterans Status  Other \_\_\_\_\_  
(Specify)
9. The alleged discrimination occurred relative to:  
 Interview  Discipline  
 Hiring Selection  Layoff  
 Promotion  Other \_\_\_\_\_  
(Specify)
10. The facts of the alleged discriminatory act(s) are as follows: (Describe exactly what occurred and when. Use additional sheets if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Over)

11. Name, title, work location and telephone number of person(s) you believe discriminated against you.

Name	Title	Location	Phone
------	-------	----------	-------

12. What specifically leads you to believe that the action(s) taken was/were based on your Race, Color, Sex, Age, Religion, National Origin, or Disability, or that it constitutes Sexual Harassment or Retaliation?

\_\_\_\_\_

13. Do you have any specific **evidence or documentation** that supports your allegation(s)? (If yes, indicate the type of evidence: Direct, Hearsay, Statistical, Comparative, etc., and provide copies, if feasible).

\_\_\_\_\_

14. Identify and provide the name and telephone number of **witnesses** to each of the alleged discriminatory act(s).

\_\_\_\_\_

15. Identify and provide **Comparable Data**, if applicable (Document Disparate Treatment and indicate how someone who is similarly situated as you, was treated more favorably than you).

\_\_\_\_\_

16. Identify and provide copies of any applicable Rules, Regulations, Policies, Guidelines, etc., and Indicate how they are applicable in this instance or were violated.

\_\_\_\_\_

17. Have you made an effort to resolve this matter through your supervisor, the grievance procedure or other avenues? If yes, please explain and indicate the outcome of your efforts. (Use additional sheets if necessary).

\_\_\_\_\_

18. What specific relief are you seeking?

\_\_\_\_\_

**Please respond to all of the questions on this form and provide any additional documentation you may have.**

Complainant's Signature

Date

Date Received by OAA



# SEXUAL HARASSMENT POLICY

## I. Definition of Sexual Harassment

According to the Illinois Human Rights Act, sexual harassment is defined as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991.

One such example is a case where an individual is terminated by a supervisor or is denied employment opportunities and benefits after rejecting the supervisor's sexual advances or request(s) for sexual favors. Another example is where an individual is subjected to conduct by co-workers because of his or her gender which makes it difficult for the employee to perform his or her job.

Other conduct, which may constitute sexual harassment includes:

Verbal: Sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender – specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, or a sexual nature.

Non-Verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually aggressive bodily gestures, "catcalls", "smacking" or "kissing" noises.

Visual: posters, signs, pin-ups or slogans of a sexual nature.

Physical: Touching, unwelcome hugging or kissing, punching, brushing the body, any coerced sexual act or actual assault.

While the most commonly recognized forms of sexual harassment involve the types of conduct described above, non-sexual conduct can also constitute a violation of the applicable laws when that conduct is directed at the victim because of his or her gender (for example, a female employee who reports to work every day and finds her tools stolen, her work station filled with trash and her equipment disabled by her male co-workers because they resent having to work with a woman). The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a "reasonable person".

For this reason, every supervisor and employee must remember that seemingly, “harmless” and subtle actions may lead to sexual harassment complaints. The use of terms such as “honey” “darling” and “sweet-heart” is objectionable to many women who believe that the use of these terms undermine their authority and their ability to deal with men on an equal and professional level. And while use of these terms by an individual with authority over a female employee will rarely constitute an adverse employment action, it may lead to the creation of a hostile work environment.

Another example is the use of a compliment that could potentially be interpreted as sexual in nature. Below are three statements that might be made about the appearance of a woman in the workplace:

- “That’s an attractive dress you have on.”
- “That’s an attractive dress. It really looks good on you.”
- “That’s an attractive dress. You really fill it out well.”

The first statement appears to be simply a compliment. The last is the most likely to be perceived as sexual harassment, depending on individual perceptions and values. To avoid the possibility of offending an employee, it is best to follow a course of conduct above reproach, or to err on the side of caution.

Sexual harassment is unacceptable misconduct, which affects all genders. Sexual harassment will often involve a man’s conduct directed at a woman. However, it can also involve a woman harassing a man or harassment between members of the same gender.

### **I. Responsibility of Individual Employees**

Each individual employee has the responsibility to refrain from sexual harassment in the workplace. An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct.

The harassing employee will be subject to disciplinary action up to and including discharge in accordance with departmental policy or a collective bargaining agreement, as appropriate.

### **II. Responsibility of Supervisory Personnel**

Each supervisor is responsible for maintaining the workplace free of sexual harassment. This is accomplished by promoting a professional environment and by dealing with sexual harassment as with all other form of employee misconduct.

It must be remembered that supervisors are the first line of defense against sexual harassment. By setting the right example, a supervisor may discourage his or her employees from acting inappropriately. In addition, supervisors will often be the first to spot objectionable conduct or the first to receive a complaint about conduct which he or she did not observe.

The courts and the Illinois Human Rights Commission have found that organizations as well as supervisors can be held liable for damages related to sexual harassment by a manager, supervisor, employee or third party (an individual who is not an employee but does business with an organization, such as a contractor, customer, sales, representative or repair person).

Liability is either based on an organization’s responsibility to maintain a certain level of order and discipline among employees or on the supervisor, acting as an agent of the organization. It should be noted that recent United States Supreme Court cases involving sexual harassment claims against supervisors have made the employer’s liability for supervisors’ actions even more strict. Therefore, supervisors must understand that their adherence to this policy is vitally important, both in their responsibility to maintain a work environment free of harassment and with regard to their own individual conduct. The law continues to require employers to remain vigilant and effectively remedy sexually harassing conduct

perpetrated by individual(s) on their coworkers. Supervisors must act quickly and responsibly not only to minimize their own liability but also that of the agency.

Specifically, a supervisor must address an observed incident of sexual harassment or a complaint, with equal seriousness, report it, take prompt action to investigate it, implement appropriate disciplinary action, take all necessary steps to eliminate the harassment and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint.

In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

An agency's Equal Employment Opportunity (EEO) officer is available to consult with supervisors on the proper procedures to follow.

# Procedures for Filing a Complaint

## A. Internal

An employee who either observes or believes himself/herself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending employee, her/his supervisor and the agency EEO officer. It is not necessary for sexual harassment to be directed at the person making a complaint.

The following steps may also be taken: document or record each incident (what was said or done, the date, the time and the place). Documentation can be strengthened by written records such as letters, notes, memos and telephone messages.

All charges, including anonymous complaints, will be accepted and investigated regardless of how the matter comes to the attention of the agency. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the complainant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

No one making a complaint will be retaliated against even if a complaint made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Proper responses to conduct which is believed to be sexual harassment may include the following:

1. Direct communication. If there is sexual harassing behavior in the workplace, the harassed employee should directly and clearly express his/her objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
2. Contact supervisory personnel. At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor or the EEO officer. If the harasser is the immediate supervisor, the problem should be reported to the next level of supervision or the EEO officer. However, the employee experiencing what he or she believes to be sexual harassment must not assume that the employer is aware of this conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, it is likely the employer will be presumed not to have knowledge of the harassment.
3. Formal written complaint. An employee may also report incidents of sexual harassment directly to the EEO officer. The EEO officer will counsel the reporting employee and be available to assist with filing a formal complaint. The department will fully investigate the complaint and advise the complainant and the alleged harasser of the results of the investigation.

## B. External

Resolution outside the department: Every department, agency, board and commission has adopted a comprehensive anti-harassment policy. The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) and the U.S. Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. Where the employing entity has an effective sexual harassment policy in place and the complaining employee fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an employee may, in certain cases, lose the right to further pursue the claim against the employer.

An employee who is suddenly transferred to a lower paying job or passed over for promotion after filing a complaint with the Division of Diversity, Equity and Inclusion, IDHR or EEOC may file a retaliation charge.



An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges, such as assault or battery.

The agency hopes that any incident of sexual harassment can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and the U. S. Equal Employment Opportunity Commission (EEOC) or any other appropriate government agency.

The Illinois Department of Human Rights may be contacted as follows:

- Chicago ..... (312) 814-6200
- Chicago TTY ..... (866) 740-3953
- Springfield..... (217) 785-5100
- Springfield TTY ..... (866) 740-3953
- Marion..... (618) 993-7463
- Marion TTY ..... (866) 740-3953

The U.S. Equal Employment Opportunity Commission can be contacted as follows:

- Chicago ..... (800) 669-4000
- Chicago TTY ..... (312) 869-8001

**False and Frivolous Complaints**

False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action.

Department of Children and Family Services  
Office of Affirmative Action  
**SEXUAL HARASSMENT COMPLAINT FORM**

Submit Form To:  
Office of Affirmative Action  
1911 South Indiana Avenue 4<sup>th</sup> Floor  
Chicago, IL 60616  
(312) 328-2495  
or  
406 East Monroe Street, 5<sup>th</sup> Floor  
Springfield, IL 62701  
(217) 524-1248

1. Name \_\_\_\_\_
2. Address \_\_\_\_\_  
\_\_\_\_\_ (Work Location) \_\_\_\_\_ (Home Address)
3. Telephone \_\_\_\_\_ (Business) \_\_\_\_\_ (Home Telephone)
4. Job Title \_\_\_\_\_ (Payroll Title) \_\_\_\_\_ (Unit)
5. Length of Time in Current Position \_\_\_\_\_
- Supervisor \_\_\_\_\_ (Name) \_\_\_\_\_ (Phone)
6. When did the unwelcome behavior(s) occur? (Specify the date, time and location of each incident).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Name, title, work location, and telephone number of person(s) you believe sexually harassed you (or that you observed to be sexually harassing someone else).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Describe in **detail** the specific unwelcome behavior that occurred. (Use additional sheets if necessary).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Over)

9. Describe what you said and did when the unwelcome behavior occurred.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
10. Did you ask the alleged harasser to stop the unwelcome behavior? \_\_\_\_\_ If yes, did the alleged harasser stop the behavior after being told to stop, or did it continue? (Explain)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
11. Were there any **witnesses** to what happened? \_\_\_\_\_ If so, provide their name and telephone number.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
12. Do you have any **documentation or evidence** that supports your allegation(s)? \_\_\_\_\_ (If yes, please indicate, and provide copies, if feasible).
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
13. Have you made an effort to resolve this matter through your supervisor, the grievance procedure or other avenues? \_\_\_\_\_ If yes, please explain and indicate the outcome of your efforts. (Use additional sheets if necessary).
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
14. What specific relief are you seeking?
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Please respond to all of the questions on this form and provide any additional documentation you may have.**

\_\_\_\_\_  
Complainant's Signature **and** Date Filed

\_\_\_\_\_  
Date Received by OAA

DCFS is an equal opportunity employer and prohibits unlawful discrimination in all of its programs and/or services.

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SECTION

**5**



# **AMERICAN WITH DISABILITIES ACT**

The fair and equitable treatment of disabled applicants, employees and clients is embodied in the policy statement signed by the director of the Illinois Department of Children and Family Services. The department is committed to hiring and promoting persons with physical or mental disabilities which are unrelated to ability. The department will make reasonable accommodations for those individuals who make such disabilities known to the department unless it would cause the department undue hardship.

The assistant affirmative action officer is the Section 504 and Americans with Disabilities Act (ADA) coordinator for the agency. Any complaints which allege actions that are prohibited under Title V of the Rehabilitation Act of 1973, Section 503 or 504, the Americans with Disabilities Act of 1990 or the Human Rights Act of 1980, as amended, may be resolved through the complaint process delineated in Part IV of the department's Affirmative Action Plan. A reasonable accommodation procedure has also been established to enable persons with disabilities to have a formal process for resolving requests for reasonable accommodations.

The department is committed to hiring and promoting persons with disabilities and will continue its efforts in a non-discriminatory manner.

## **Recruitment Procedures**

Recruitment will be done on a regional/local office basis. Under the new hiring procedures implemented by the Department of Central Management Services (CMS), qualified applicants are to be referred to the CMS website to apply online for DCFS titles. The Department of Central Management Services will advise of those qualified applicants for DCFS posted positions. In addition, the Department's will participate in the Department of Central Management Services' hosted job fairs.

## **Accessibility**

In accordance with the Council on Accreditation (COA), all DCFS offices throughout the state are accessible.

## **Pre-employment**

Under the Department of Human Rights/Human Rights Commission's rules on disability discrimination in employment, no pre-employment inquiries about an applicant's disability shall be asked, unless the question is job-related.

## **Testing**

The agency conducts no internal testing. The employment testing is provided by Central Management Services.

## **Evacuation Procedure**

Through the use of a survey form for disabled employees developed by the Department of Human Rights, the Office of Diversity, Equity and Inclusion is to notify the administrators of each office when an employee signs the form indicating a need for assistance, should an emergency evacuation become necessary and the administrator is requested to make provisions for assigning someone to accompany the disabled person. The disability report with the list of disabled persons will be provided to each facility safety administrator.

# **AMERICANS WITH DISABILITIES ACT (ADA)**

## **Notice to the Public**

It is the policy of the Illinois Department of Children and Family Services (“agency”) to comply with the provisions of the Americans with Disabilities Act, 42 U.S.C.A. Section 12101, et seq. (“ADA”).

The ADA prohibits discrimination against qualified individuals with disabilities on the basis of their disability. The ADA provides, in part, that qualified individuals with disabilities shall not be excluded from participating in or be denied the benefits of any program, service or activity offered by this agency.

The ADA requires that all programs, services and activities, when viewed in their entirety, are readily accessible to and usable by qualified individuals with disabilities. This agency must communicate effectively with individuals with speech, visual and hearing impairments and provide auxiliary communication aids to qualified individuals with disabilities participating in or benefiting from this agency’s programs, services, or activities to afford equal opportunity.

Should you wish to review the ADA or its interpretive regulations, ask questions about your rights and remedies under the ADA, request a reasonable modification to this agency’s policies, practices, or procedures or file a written grievance with this agency alleging noncompliance with the ADA, please contact the agency’s designated ADA coordinator listed below.

Illinois Department of Children and Family Services  
Division of Diversity, Equity and Inclusion

ADA Coordinator/Assistant EEO Officer  
1921 South Indiana Ave., 4th Floor  
Chicago, Illinois 60616

Telephone: 312- 328-2495  
*DCFS.dei@illinois.gov*



# LABOR FORCE ANALYSIS FOR PEOPLE WITH DISABILITIES

**Agency:** IL Department of Children and Family Services

<b>Fiscal Year</b>	<b>2025</b>
Total Employees:	3,756
Percent of People with Disabilities in Illinois Labor Force:	6.24%
Labor Force Number:	234
Number of Employees with Disabilities in Agency:	132
Underutilization or Parity:	102

State of Illinois  
Department of Children and Family Services

**AMERICANS WITH DISABILITIES ACT GRIEVANCE FORM**

It is the policy of the Department of Children and Family Services to provide assistance in filling out this form. If assistance is needed, please ask:

DCFS ADA Officer  
1921 South Indiana  
Chicago, IL 60616  
(312) 808-5000  
[DCFS.OfficeofAffirmativeAction@illinois.gov](mailto:DCFS.OfficeofAffirmativeAction@illinois.gov)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Program, Service, or Activity to which Access was Denied or in which Alleged Discrimination occurred: \_\_\_\_\_

\_\_\_\_\_

Date of Alleged Discrimination: \_\_\_\_\_

Nature of Alleged Discrimination: \_\_\_\_\_

\_\_\_\_\_

(Attach additional sheets, if necessary. If the grievance is based on a denial of requested reasonable modification, please fill out the back of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service or activity and the above statements are true to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*Please give to the ADA Officer at the address listed above.*

<b>For Office Use Only</b>	
Date Received: _____	By: _____

**AMERICANS WITH DISABILITIES ACT GRIEVANCE FORM: PART II**  
**Reasonable Modifications Request**

Please fill out this part of the form if this grievance is based upon the denial of a requested reasonable modification. A reasonable modification will be made to make programs, services and activities accessible. Reasonable modifications could include such things as providing auxiliary aids and devices and changing some policies and requirements to allow an individual with a disability to participate. This portion of the form should be filled in to the extent you know the answers. The form may be submitted even if this portion is incomplete.

Reasonable modification requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The date the reasonable modification was requested: \_\_\_\_\_

The person to whom the request was made: \_\_\_\_\_

The reason for denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated cost of modification (if an assistive device, such as a TDD or optical reader, or commodity or service to which a cost is readily known): \_\_\_\_\_

Why is the requested modification necessary to use or participate in the program, service or activity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alternative modifications which may provide accessibility: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any other information you believe will aid in a fair resolution of this grievance. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## REASONABLE ACCOMMODATION POLICY

In compliance with the U.S. Americans with Disabilities Act (ADA) of 1990, as amended by the Americans with Disabilities Act Amendments Act (ADAAA) of 2008 and the Illinois Human Rights Act, it is the policy of DCFS to reasonably accommodate the known physical or mental conditions of otherwise qualified applicants and employees with disabilities. DCFS recognizes the right of a qualified applicant or employee with a disability to request a reasonable accommodation to ensure equal opportunity in the application process; to enable him or her to perform essential functions of a job; and/or to enable him or her to enjoy equal benefits and privileges of employment.

It is the responsibility of DCFS to provide a reasonable accommodation to qualified applicants and employees with disabilities when such reasonable accommodation does not pose an undue hardship to the operation of the agency's business.

The agency equal employment opportunity officer and/or the Americans with Disabilities Act coordinator can provide further information about the agency's policy in this area.



October 1, 2024

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Chief Executive Officer

Date

January 2019

# Department of Children and Family Services

## REASONABLE ACCOMMODATIONS POLICY AND PROCEDURE

### I. Introduction

The American with Disabilities Act (ADA) of 1990, 42 U.S.C. 12101 et seq. and the ADA Amendment Act of 2008 (ADAAA) prohibits discrimination against a qualified individual with a disability in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training and other terms, conditions and privileges of employment.

DCFS will make reasonable accommodations to the known physical or mental limitations of a qualified individual with a disability who is an employee or applicant unless the accommodation would impose an undue hardship on the operation of the agency. Such individual is responsible for initiating the request for reasonable accommodation, if that individual believes such accommodation is required to enable him/her to perform the essential functions of the job.

The policy and procedures set forth herein are also intended to meet the requirements of the Illinois Human Rights Act (Ill. Rev. Stat., 1989, ch. 68, para. 1-101 et seq.) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as well as the ADA.

### II. Policy

In accordance with the law and regulations, it is the policy of DCFS:

- To inform employees about the DCFS policies and of the right to reasonable accommodations.
- To make reasonable accommodations to the known physical or mental limitations of a qualified individual with a disability who is an employee or qualified job applicant unless the accommodation would impose an undue hardship on the operation of the agency.
- To provide reasonable accommodations in the least costly and most effective manner available.

### III. Reasonable Accommodations

- A. "Reasonable accommodations" means making modifications or adjustments to a job application process and/or the work environment to enable qualified applicants or employees with a disability to be considered for a position, to perform the essential functions of a position and to enjoy equal benefits and privileges of employment.
- B. "Reasonable accommodations" may include, but are not limited to:
  1. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities.
  2. Restructuring jobs; modifying work schedules; reassigning vacant positions; acquiring or modifying equipment or devices; appropriate adjusting or modifying of examinations, training materials or policies; providing qualified readers or interpreters; and accommodating individuals with disabilities in other ways.

NOTE: The ADA permits employers to choose the accommodation which is lowest in cost if such accommodation provides a similar result to a more costly accommodation. Determining a reasonable accommodation for one person will not be treated as a precedent for another person.

C. Types of Reasonable Accommodations

1. Restructuring/modification includes but is not limited to: restructuring jobs by removal of non-essential tasks; job modifications; rearrangement of office furniture; removal of desk drawers; flexible time to allow transportation and/or medical schedules, etc.; reassigning to vacant positions; and adjusting or modifying examinations, training materials and policies.
2. Technological/accessibility accommodations include but are not limited to: dictating machines, voice activated equipment, push-button telephones, Telecommunication Devices for the Deaf (TDD), hand controls for dictating devices, speaker-phones, telephone amplifiers, typewriters, Braille typewriters, orthopedic desk chairs and other adaptive office furniture, looping systems, etc., as well as architectural modifications. Some types of accommodations need not be provided on an individual basis if available at the work site and if use by two or more individuals will not impede job performance.
3. Assistive care accommodations include the utilization of additional persons such as readers, drivers, interpreters and attendants who specifically assist an individual in performing the essential duties of the job.

D. Reasonable accommodations do not generally include providing qualified individuals with personal devices such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting or dressing.

E. Undue Hardship

1. "Undue hardship" means significant difficulty or expense in or resulting from the provision of the accommodation. It refers to any accommodation that would be unduly costly, extensive, substantial or disruptive, or that would fundamentally alter the nature or operation of the business of the agency.
2. Whether an accommodation will impose an undue hardship on the operation of the agency must be analyzed on a case-by-case basis. Factors to be considered in determining whether an accommodation would impose an undue hardship on DCFS may include, but are not necessarily limited to:
  - The nature and net cost of the accommodation needed.
  - The overall financial resources of the region involved in the provision of the reasonable accommodation.
  - The overall financial resources with respect to the number of employees and the number, type and location of its facilities.
  - The impact of the accommodation upon the operation of the office, including the impact on the ability of other employees to be able to perform their duties and impact on the office's ability to conduct business.
3. To deny a request on this basis, the agency must demonstrate that the disruption would result from the provision of the accommodation, not from the fears or prejudices of other employees toward the individual's disability.

4. The determination of which accommodation is appropriate in a particular situation will be made on a case-by-case basis and involve the employer and employee in a flexible, interactive process whereby the employee identifies the precise limitations imposed by the disability and along with the employer, explores potential accommodations that would overcome those limitations.

#### **IV. Procedures for Processing Requests for Reasonable Accommodations**

- A. Initiate Process: The employee must transmit the completed Request for Reasonable Accommodation (CFS 743) and the Physician's Statement (CMS 95) to the ADA coordinator in the Division of Diversity, Equity and Inclusion when initiating a request for a reasonable accommodation. The ADA coordinator will immediately send the Request to the immediate supervisor. Once the supervisor signs the request and indicates their recommendation, the request must be sent back to the ADA coordinator for further processing. The ADA coordinator will immediately send the request to the regional administrator/division manager for signature and recommendation. Once the regional administrator/division manager signs the request and indicates their recommendation the request must be sent to the ADA coordinator for further processing.
  1. **Level One:** The immediate supervisor has 10 workdays to make a recommendation and return the request to the ADA coordinator. If the supervisor approves or does not approve the request or approves with modifications or needs more information after completing an interactive process with the employee, the request must be returned to the ADA coordinator.
  2. **Level Two:** The appropriate regional administrator/division manager has 10 workdays to respond to the Request. If the regional administrator/division manager approves or does not approve the Request or approves with modifications or needs more information after completing the interactive process with the employee, the request must be returned to the ADA coordinator.
  3. **Level Three:** The ADA coordinator has 10 workdays to make a recommendation to the deputy director, Division of Diversity, Equity and Inclusion.
  4. **Level Four:** The deputy director, Division of Diversity, Equity and Inclusion, has 10 workdays to make a recommendation to the director.
  5. **Level Five:** The director makes the final decision and returns the completed request to the deputy director, Division of Diversity, Equity and Inclusion. The ADA coordinator sends an official memo to the supervisor and the employee to inform them of the final decision. The final decision will also be shared with the division that needs to implement the granted accommodation.
- B. The determination of reasonable accommodation for a qualified employee who requires such to overcome a physical or mental impairment in the performance of essential job duties must be made jointly by the employee and employer.
  1. A person with a disability may be qualified for a job if the person satisfied the requisite skills, experience, education and other job-related requirements of the employment position, as set forth in the standardized DCFS position descriptions, and with or without reasonable accommodations can perform the essential functions of the job.
  2. Essential job functions vary with individual job descriptions and would include those physical, mental and interpersonal activities necessary to achieve the anticipated job performance effectively.
- C. The employee must request all reasonable accommodations using an Employee Request for Reasonable Accommodation form. Assistance may be provided to the employee in the completion of the form and procedure outlined herein. The employee is responsible for adequately responding to all questions on the form as applicable.

1. If additional information becomes available, the employee should submit it in writing to the immediate supervisor for transmittal to the regional administrator/division manager and to the ADA coordinator.
  2. Technical assistance is available to the employee applicant and supervisor(s) from the ADA coordinator upon request.
- D. All reviewers shall consider the request based on the following criteria:
1. The relationship between the accommodation and essential job functions.
  2. Necessity.
  3. Cost effectiveness.
  4. Undue hardship.
  5. Compatibility with existing equipment (where applicable).
- E. The time limits provided in this Section V may be extended for a combined total of up to 30 workdays if circumstances warrant (e.g., absence of a person making the determination, additional information required, etc.).
- F. Regardless of the level on which a recommendation/decision is made, a copy of the recommendation/ decision must be sent to the ADA coordinator.

## V. Procedures for Implementation

- A. The appropriate regional administrator/division manager shall ensure that implementation of the accommodation is initiated within 10 workdays, with notice to the immediate supervisor and employee.
- B. Generally, DCFS assumes responsibility for reasonable accommodations involving restructuring or modification of jobs, working conditions or the work environment. DCFS also assumes responsibility for acquiring accommodations of a technological or adaptive nature in accordance with established procurement procedures.
- C. Procedures for Procurement of Specific Services
1. DCFS generally pays for approved services.
    - **Duties**  
In situations where other alternative accommodations (e.g., job restructuring, providing a telephone device for the deaf) are insufficient to allow the employee to perform essential job functions, the employee may request the services of a qualified sign language interpreter as a reasonable accommodation. The duties of such a sign language interpreter may include the provision of sign language interpretation for office activities and meetings, conferences and training sessions, and telephone communications. The employee's immediate supervisor is responsible for the determination for work-relatedness. The provision of sign language interpretation to and from the work site or during meals or non-work-related activities is not the responsibility of DCFS. Payment for these activities is the responsibility of the employee.
    - **Procurement**  
If approved, this type of accommodation should be provided in the following manner:
      - DCFS will utilize existing staff positions which can be modified to provide necessary effective communication through sign language interpretation in the office setting. (Existing job descriptions may include interpreter services under the requirements for the position.)



- In situations where existing staff positions cannot be modified to include interpreter services because of frequency of need, DCFS may provide the necessary services on a part-time contractual or voucher basis for both in-office and field situations. Prior to contracting with an interpreter, DCFS will verify whether the individual is a qualified interpreter. This will necessitate an approximate determination by the employee and the supervisor as to the amount of interpreting required. Reimbursement for this service will be in accordance with established DCFS interpreter rates.

## 2. Driver Services

- **Duties**

Many positions require travel for the performance of essential job functions. When providing reasonable accommodation, the use of specialized public transit, more flexible time schedules or limiting or eliminating travel requirements should be considered. In some cases, however, the provision of a driver may be necessary to enable the employee to meet more extensive travel requirements. Transportation of the employee or driver to and from the worksite, meals or non-work-related activities is not the responsibility of DCFS. Payment of these costs is the responsibility of the employee.

- **Procurement**

If approved, this type of accommodation should be provided in the following manner:

- If there is an existing staff position where the job description contains the essential duties (e.g., Maintenance Equipment Operator), such position should be utilized as a first option.
- The utilization of existing contractual persons to perform the needed service should be explored as the second option.
- Where the use of such existing contractual persons is not practical, a part-time contractual or vouchered person should be retained to provide the appropriate accommodation.

## 3. Reader Services

- **Duties**

Numerous technological advancements have made possible the development of devices designed to allow visually impaired persons the benefit of written communication. The Opticon, the Kurzweil reader, Braille printers and typewriters, tape recording devices and reading aides are examples of these accommodations. Reader services include the reading of work-related materials to allow the employee to perform essential job functions.

- **Procurement**

If approved, this type of accommodation should be provided in the following manner:

- Where existing staff positions can be modified to provide the necessary reader services, DCFS should use these established positions. This duty is within the purview of the job specification of most clerical support positions and may be added to an individual job description.
- Where the amount of material to be read exceeds the capabilities of support staff, the utilization of existing contractual persons to perform the needed service should be considered as a second option.
- If existing services are insufficient, a part-time contractual or vouchered person may be retained to provide the needed accommodation. Payment under such a contract should be made at the current federal minimum wage.

#### 4. Attendant Services

- **Duties**

In situations where alternative accommodations (e.g., job restructuring, technology) are insufficient to allow the employee to perform essential job functions, the employee may request, as a reasonable accommodation, the services of an attendant. The duties of such an attendant may include:

- Physical assistance in telephone use and setting up assisting devices or other office equipment.
- Physical assistance in transferring to and from the transportation modes and other assistance in the performance of job duties on travel status.
- Other assistance not directly related to the employee's job duties. The transportation of the employee or attendant to and from the work site, meals or non-work-related activities is not the responsibility of DCFS. Payment for these activities is the responsibility of the employee.

- **Procurement**

If approved, this type of accommodation should be provided in the following manner:

- If there is an existing staff position where the job description contains the essential duties, such position should be utilized as a first option.
- Where the use of existing staff is not feasible, the utilization of existing contractual persons to perform the needed service should be explored as a second option.
- As a third option, a vouchered person should be retained to perform the needed services. This may be particularly appropriate when an employee needs attendant services while on overnight travel status.

## VI. Reimbursement of Reasonable Accommodation Expenditures

The following procedures must be followed by all employees to receive reimbursement or payment for costs related to approved reasonable accommodations. This includes all expenditures incurred by or on behalf of persons with a disability in the performance of their jobs or while on travel status (i.e., equipment, drivers, readers, attendant care, interpreters, etc.), whether contractual or vouchered. The employee is responsible for completing vouchers for service providers.

- A. Reimbursement for equipment or assistive care must be claimed on an Invoice Voucher (C-13). The voucher must be submitted under the name of the person who actually provided the services, not the employee for whom services were provided. The voucher must include the following information:

1. Name of employee for whom services were provided.
2. Type of service.
3. Dates of service.
4. Actual number of hours worked.
5. Rate per hour.
6. Mileage at approved rate per mile (if applicable).
7. Costs of overnight travel per diem, lodging (if applicable).
8. Incidental costs, e.g., parking (if applicable).

*\*If there is a contractual relationship between employee and service provider, please refer to item B below.*

All vouchers which are claiming reimbursement for a reasonable accommodation must be clearly marked with the phrase "REASONABLE ACCOMMODATION" in the body of the voucher.

- B. When services are provided under an individual contractual arrangement, payment must be requested via a Contractual Service Voucher (C-02). These vouchers must be submitted under the name of the approved contractor only – no other individual may claim payment under the contract. The voucher must be itemized, as detailed in item A above, and identify the contract number. Reimbursement will be made only for allowable costs as outlined in the contract.
- C. All Contractual Service Vouchers must be signed by the immediate supervisor and regional administrator/division manager, and all C-13s must be signed by the employee on the "Receiving Officer" line in the bottom left corner of the voucher. The immediate supervisor is designated by the contract and is not the employee for whom services are rendered. The signature of the immediate supervisor approves all costs as in line with contractual limits; incorrect vouchers or payments, therefore, are the responsibility of the immediate supervisor. Contractual service vouchers not signed by appropriate personnel will not be processed. In addition, all vouchers must be clearly marked "REASONABLE ACCOMMODATION" in the body of the voucher.

In the event that the contractor cannot provide necessary services as a result of illness or other bona fide reason, services may be provided by another individual and reimbursement may be made on a C-13. In these cases, the voucher must include all details outlined under item A above. Additionally, an explanation for hiring outside the contract must be attached to the voucher. These situations should be very rare and hiring outside of the contract must be justified and documented.

**EMPLOYEE/APPLICANT  
REQUEST FOR REASONABLE ACCOMMODATION**

Name \_\_\_\_\_ Payroll Title \_\_\_\_\_

Work Location \_\_\_\_\_ Social Security # (last 4 digits) \_\_\_\_\_

Phone Number \_\_\_\_\_  
(Work) (Home)

Type of Disability \_\_\_\_\_

Description of Type of Accommodation Requested \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(Include all relevant medical documentation and attach an additional sheet if necessary)

Acceptable Alternatives for Accommodation \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheet if necessary)

1. Which essential function(s) of your job will the accommodation allow you to perform?

\_\_\_\_\_  
\_\_\_\_\_

2. Why is the accommodation necessary to perform this essential job function(s)?

\_\_\_\_\_  
\_\_\_\_\_

3. For assistance: Indicate frequency of use: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. For technological devices: Indicate compatibility with existing equipment: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Complete and forward to immediate supervisor and ADA Coordinator. Unauthorized or disallowed costs/services are the responsibility of the employee.

\_\_\_\_\_  
Applicant/Employee Signature

\_\_\_\_\_  
Date

- Over -

**REASONABLE ACCOMMODATION APPROVAL PROCESS FORM**

(Each level has 10 working days to resolve the request or submit it to the next level.)

**SUBMIT FORM TO your immediate supervisor and the Office of Affirmative Action, 1911 S. Indiana, 4<sup>th</sup> Floor, Chicago, Illinois 60616.**

**1<sup>st</sup> Level Recommendation (Immediate Supervisor)**

- Accommodation Approved
- Accommodation Approved with Modification(s)
- Accommodation Not Approved
- Additional Information Needed

(Explain Reasons for Your Recommendation) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

**2<sup>nd</sup> Level Recommendation (Regional Administrator/Division Manager)**

- Accommodation Approved
- Accommodation Approved with Modification(s)
- Accommodation Not Approved
- Additional Information Needed

(Explain Reasons for Your Recommendation) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Regional Administrator/Division Manager

\_\_\_\_\_  
Date

**3<sup>rd</sup> Level Recommendation (ADA Coordinator)**

- Accommodation Approved
- Accommodation Approved with Modification(s)
- Accommodation Not Approved
- Additional Information Needed

(Explain Reasons for Your Recommendation) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
ADA Coordinator

\_\_\_\_\_  
Date

**4<sup>th</sup> Level Decision (Deputy Director, Affirmative Action)**

- Accommodation Approved
- Accommodation Approved with Modification(s)
- Accommodation Not Approved
- Additional Information Needed

(Explain Reasons for Your Recommendation) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Deputy Director, Affirmative Action

\_\_\_\_\_  
Date

**5<sup>th</sup> Level Decision (Director)**

- Accommodation Approved
- Accommodation Approved with Modification(s)
- Accommodation Not Approved
- Additional Information Needed

(Explain Reasons for Your Recommendation) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Director

\_\_\_\_\_  
Date



# PHYSICIAN'S STATEMENT

## AUTHORIZATION FOR DISABILITY LEAVE AND RETURN TO WORK

Name of Patient (full): \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Soc. Sec. Number: \_\_\_\_\_

Present Address—Street or Rural Route: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employed by State of Illinois: \_\_\_\_\_  
(Agency, Board, Commission, Department)

Facility: \_\_\_\_\_ Address: \_\_\_\_\_

COMPREHENSIVE MEDICAL INFORMATION IS REQUIRED IN ORDER TO EVALUATE THE EMPLOYEE'S  
CLAIM FOR A DISABILITY LEAVE OF ABSENCE OR SUBSEQUENT RETURN TO WORK

### 1. DIAGNOSIS (including any complications):

(a) Date of last examination: Month: \_\_\_\_\_ Day: \_\_\_\_\_ 20 \_\_\_\_\_

(b) Diagnosis including any complications: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Subjective symptoms: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(d) Objective findings (including information derived from x-rays, EKG's, laboratory data and any clinical findings):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 2. DATES OF TREATMENT:

(a) Date of first visit: Month \_\_\_\_\_ Day: \_\_\_\_\_ 20 \_\_\_\_\_

(b) Date of last visit: Month \_\_\_\_\_ Day: \_\_\_\_\_ 20 \_\_\_\_\_

(c) Frequency:  Weekly  Monthly  Other—(Please specify) \_\_\_\_\_  
\_\_\_\_\_

### 3. TREATMENT:

(a) Please describe any surgery and / or , medication prescribed: \_\_\_\_\_  
\_\_\_\_\_

(b) Will treatment substantially improve function and employability?  Yes  No If yes specify: \_\_\_\_\_  
\_\_\_\_\_

#### IMPORTANT NOTICE

This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under 20 ILCS 415/8c(2). Disclosure of this information is **VOLUNTARY**. This form has been approved by the State Forms Management Center.

**4. PROGRESS: (Please check appropriate box provided below):**

- (a) The patient has:  Recovered  Improved  Remained Unchanged  Retrogressed
- (b) The patient is:  Ambulatory  House Confined  Bed Confined
- (c) Has the patient been hospital confined because of current condition?  Yes  No

If yes, give name and address of hospital: \_\_\_\_\_

Confined from: Month \_\_\_\_\_ Day \_\_\_\_\_ 20 \_\_\_\_\_ Through Month \_\_\_\_\_ Day \_\_\_\_\_ 20 \_\_\_\_\_

**5. LIMITATION: (If there is a limitation, check appropriate box and describe below):**

- Standing  Climbing  Bending  Use of Hands  Stooping  
 Lifting  Psychological  Other (Please specify): \_\_\_\_\_

**6. PHYSICAL IMPAIRMENT: (\*As defined in Federal Dictionary of Occupational Titles):**

- Class 1 --No limitation of functional capacity; capable of heavy work \* No restrictions(0-10%)  
 Class 2 -- Medium manual activity \* (15%-30%)  
 Class 3 -- Slight limitation of functional capacity; capable of light work\* (35%-55%)  
 Class 4 -- Moderate limitation of functional capacity; capable of clerical / administrative (sedentary\*) activity (60%-70%)  
 Class 5 -- Severe limitation of functional capacity; incapable of minimal (sedentary\*) activity (75%-100%)  
 Remarks-- \_\_\_\_\_

**7. EXTENT OF DISABILITY:**

- (a) In your opinion is patient now temporarily totally disabled?
- (b) If no, when was patient able to go to work?
- (c) If yes, what is the approximate date patient will be able to resume work?
- (d) In your opinion is patient permanently and totally disabled for employment?
- (e) If answer to (d) is yes, please explain.

<i>From Any Occupation</i>			<i>From Patient's Regular Occupation</i>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Month	Day	Year	Month	Day	Year
		20			20
Month	Day	Year	Month	Day	Year
		20			20

\_\_\_\_\_  
 \_\_\_\_\_

**8. REMARKS:**

Attending Physician Signature: \_\_\_\_\_ Degree: \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION:**

Attending Physician's Name: \_\_\_\_\_

Physician's Office Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone Number: \_\_\_\_\_

**TO EMPLOYEES:** You are responsible for having this form completed and returned to the appropriate person within your agency Within the time limits established by your agency. Your failure to comply may result in termination of your disability leave.

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SECTION

**6**



# **APPLICABLE EQUAL EMPLOYMENT OPPORTUNITY LAWS**

## **CIVIL RIGHTS ACT OF 1964, AS AMENDED**

Title VI prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance.

Title VII prohibits discrimination on the basis of race, color, religion, sex or national origin by employers or unions with fifteen or more employees. It also makes it illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination or participated in an employment discrimination investigation or lawsuit. Title VII further requires that employers reasonably accommodate applicants' and employees sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business. The definition of "employer" includes the United States government, corporations wholly owned by the United States, and state or political subdivisions thereof.

## **EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1972**

The Equal Employment Opportunity Act of 1972 amended the Civil Rights Act of 1964 to add sex and religion to Title VII and extend Equal Employment Opportunity ("EEO") to states, local and municipal organizations, all public and private employment agencies and to labor organizations. The Act empowers the U.S. Equal Employment Opportunity Commission ("EEOC") to bring civil action against any organization which is alleged to be engaged in discrimination. The Equal Employment Opportunity Act also gives the right to an individual to file a complaint directly in a court of law.

## **PREGNANCY DISCRIMINATION ACT**

The Pregnancy Discrimination Act amended Title VII to prohibit discrimination against a woman because of pregnancy, childbirth or a medical condition related to pregnancy or childbirth. The law also prohibits retaliation against a person because he or she complained about discrimination, filed a charge of discrimination or participated in an employment discrimination investigation or lawsuit.

## **CIVIL RIGHTS ACT OF 1991**

The Civil Rights Act of 1991 expanded the protections afforded individuals under the Civil Rights Act of 1964. It provides for damages for intentional discrimination and unlawful harassment in the workplace and codifies the concepts of "business necessity" and "job related" as enunciated in various Supreme Court decisions. Additionally, it confirms statutory authority and provides guidelines for disparate impact suits under Title VII of the Civil Rights Act of 1964 in response to recent Supreme Court decisions and expands the scope of relevant civil rights statutes.

## **AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967**

The Age Discrimination in Employment Act prohibits discrimination against persons who are 40 years of age or older.

## **REHABILITATION ACT OF 1973**

The Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment and in the employment practices of federal contractors. Sections 503 and 504 of the Act prohibit discrimination against qualified individuals with a disability. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in Title I of the Americans with Disabilities Act. The U.S. Department of Labor, Office of Federal Contract Compliance Programs, enforces Section 503. Section 504 is enforced by the agency providing the federal funds in question.

## **EQUAL PAY ACT OF 1963**

The Equal Pay Act provides that an employer may not discriminate on the basis of sex by paying employees different wages for doing equal work on jobs requiring equal skill, effort, and responsibility, and which are performed under similar working conditions in the same establishment. The EEOC enforces this Act.

## **AMERICANS WITH DISABILITIES ACT OF 1990 AS AMENDED BY THE AMERICANS WITH DISABILITIES AMENDMENT ACT OF 2008**

Congress enacted the Americans with Disabilities Act of 1990 (“ADA”) to eliminate discrimination against individuals with disabilities in employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting and access to public services.

Title I of the ADA prohibits discrimination in employment against individuals with disabilities and establishes the standards governing an employer’s affirmative action duty to accommodate individuals with disabilities. Title II of the ADA prohibits discrimination against individuals with disabilities by state and local governments.

The ADA Amendment Act of 2008 broadens the coverage of “disability” and thereby brings more individuals under the protection of the law. The EEOC has issued new regulations under this Act.

## **FAMILY AND MEDICAL LEAVE ACT OF 1993**

The Family and Medical Leave Act requires employers to provide up to 12 weeks of unpaid job-protected leave to “eligible” employees for specified family and medical reasons. Employees are eligible if they have worked for a covered employer for a least one year and 1,250 hours during the year preceding the start of the leave and are employed at a worksite where the employer employs at least 50 employees within a 75-mile radius. The U.S. Department of Labor’s Wage and Hour Division is authorized to investigate and resolve complaints of violations. Eligible employees are entitled to 12 workweeks of unpaid leave in a 12-month period for the birth of a child and to care for the newborn child within one year of birth; the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement; to care for the employee’s spouse, child or parent who has a serious health condition; a serious health condition that makes the employee unable to perform the essential functions of his or her job; any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter or parent is a covered military member on “covered active duty,” or 26 workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent or next of kin (military caregiver leave).

## **UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT**

The Uniformed Services Employment and Reemployment Rights Act (“USERRA”) protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services and applicants to the uniformed services. The U.S. Department of Labor, Veterans Employment and Training Services, is authorized to investigate and resolve complaints of USERRA violations.

## **GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008**

The Genetic Information Nondiscrimination Act prohibits discrimination against employees or applicants because of genetic information. Genetic information includes information about an individual’s genetic tests and the genetic test of an individual’s family members, as well as information about any disease, disorder or condition of an individual’s family member (i.e., an individual’s family medical history). The Act also makes it illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination or participated in an employment discrimination investigation or lawsuit.

## **ILLINOIS HUMAN RIGHTS ACT**

The Illinois Human Rights Act prohibits discrimination in employment because of race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, citizenship status, physical or mental disability, military status, sexual orientation, pregnancy or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit and the availability of public accommodations. The Act also prohibits retaliation against any person who reasonably opposes an unlawful discriminatory act or practice; unless otherwise authorized by law, prohibits inquiries on employment applications regarding an applicant’s arrest (but not conviction) record; and prohibits sexual harassment in employment and education. Aiding and abetting, as well as coercion, are also prohibited.

SECTION

**7**



# HIRING MONITOR

Name of Agency: \_\_\_\_\_ Candidate's Name: \_\_\_\_\_  
 City / County: \_\_\_\_\_ Position Number: \_\_\_\_\_  
 IDHR Region / (Facility): \_\_\_\_\_  
 EEO Job Category: \_\_\_\_\_ Bid Number: \_\_\_\_\_  
 Title of Job to be filled: \_\_\_\_\_ Date of Hire: \_\_\_\_\_

1. Is the EEO category underutilized?  If yes, indicate number for each group:  
 Women: \_\_\_\_\_ Black or African American: \_\_\_\_\_ Hispanic or Latino: \_\_\_\_\_  
 Asian: \_\_\_\_\_ American Indian or Alaskan Native: \_\_\_\_\_  
 Native Hawaiian or Other Pacific Islander: \_\_\_\_\_ People with Disabilities: \_\_\_\_\_

2. Indicate: Race of person selected:   
 Sex:  Veteran:  Disability:

3. Number of individuals who applied or were on the list of eligible(s) \_\_\_\_\_

Total by Category	# Invited	# Interviewed	# Selected
Women	_____	_____	_____
Black or African American	_____	_____	_____
Hispanic or Latino	_____	_____	_____
Asian	_____	_____	_____
American Indian or Alaskan Native	_____	_____	_____
Native Hawaiian or Other Pacific Islander	_____	_____	_____
People with Disabilities	_____	_____	_____
Veterans	_____	_____	_____

4. If no candidates from any of the underutilized groups appeared on the list, what efforts were made in the last six months to assist in the recruitment of candidates?

5. If the category is underutilized and a member of an affirmative action group applied and was not hired, give a detailed explanation for the hiring decision.

6. Was the position posted?

7. Name and position of person(s) who interviewed candidates.

8. Name and position of person(s) who recommended the selection of the candidate.

I have reviewed the eligibility list and:  with this hire. Remarks on reverse side.

\_\_\_\_\_  
 EEO/AA Officer Date

I approve of this hire

\_\_\_\_\_  
 Chief Executive Officer Date

No appointment will be processed without this form. [DHR Rules and Regulations Section 2520.770(h)]

# PROMOTION MONITOR

Name of Agency: \_\_\_\_\_ Candidate's Name: \_\_\_\_\_  
 City / County \_\_\_\_\_ Position Number: \_\_\_\_\_  
 IDHR Region / (Facility) \_\_\_\_\_  
 EEO Job Category: \_\_\_\_\_ Bid Number: \_\_\_\_\_  
 Title of Job to be filled: \_\_\_\_\_ Date of Promotion: \_\_\_\_\_

1. Is the EEO category underutilized?  No  If yes, indicate number for each group:  
 Women: \_\_\_\_\_ Black or African American: \_\_\_\_\_ Hispanic or Latino: \_\_\_\_\_  
 Asian: \_\_\_\_\_ American Indian or Alaskan Native: \_\_\_\_\_  
 Native Hawaiian or Other Pacific Islander: \_\_\_\_\_ People with Disabilities\* \_\_\_\_\_

2. Indicate the race and sex of person promoted:

3. Number of individuals who applied or were on the list of promotable(s): \_\_\_\_\_

Total by Category	# Invited	# Interviewed	# Selected
_____ Women	_____	_____	_____
_____ Black or African American	_____	_____	_____
_____ Hispanic or Latino	_____	_____	_____
_____ Asian	_____	_____	_____
_____ American Indian or Alaskan Native	_____	_____	_____
_____ Native Hawaiian or Other Pacific Islander	_____	_____	_____
_____ People with Disabilities	_____	_____	_____
_____ Veterans	_____	_____	_____

4. Did it change the employee's EEO Job Category?  No   
 If yes, from what EEO job Category?

5. If the category is underutilized and a member of an affirmative action group applied and was not promoted give a detailed explanation.

6. Was the position posted?  No

7. Name and position of person(s) who interviewed candidates.

8. Name and position of person(s) who recommended the selection of the candidate.

I have reviewed the eligibility list and:  with this promotion. Remarks on reverse side.

\_\_\_\_\_  
 EEO/AA Officer Date

I approve of this hire

\_\_\_\_\_  
 Chief Executive Officer Date

No appointment will be processed without this form. [DHR Rules and Regulations Section 2520.770(h)]

DHR-20 (Rev. Feb. 2016)

**\*For EEO Monitoring purposes.**



### SEPARATION QUESTIONNAIRE

(Each employee is asked to complete this questionnaire upon separation from the Department of Children and Family Services)

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Region/Division/Unit: \_\_\_\_\_ Date of Separation: \_\_\_\_\_

Race/Ethnicity of Employee:

Caucasian \_\_\_\_\_ African American \_\_\_\_\_ Hispanic \_\_\_\_\_ Asian \_\_\_\_\_ Native American \_\_\_\_\_ Other \_\_\_\_\_

Name of Immediate Supervisor: \_\_\_\_\_

Reason for Separation: \_\_\_\_\_ Voluntary Resignation \_\_\_\_\_ Other

**Please answer the following questions so that the agency will be better able to serve current and future DCFS employees:**

1. Was a better job opportunity the reason for your separation? \_\_\_\_\_ Yes \_\_\_\_\_ No
2. Was discrimination (based on Race, National Origin, Sex, Age, Religion, or Disability) a factor in your decision to separate from the Agency? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. If yes, did you file a discrimination complaint? \_\_\_\_\_ Yes \_\_\_\_\_ No
4. Did you receive adequate training to perform your job satisfactorily? \_\_\_\_\_ Yes \_\_\_\_\_ No
5. Was the supervisory/managerial support afforded you helpful in doing your job? \_\_\_\_\_ Yes \_\_\_\_\_ No
6. Were you aware of opportunities for advancement? \_\_\_\_\_ Yes \_\_\_\_\_ No
7. Do you think you were treated fairly on your performance review(s)? \_\_\_\_\_ Yes \_\_\_\_\_ No
8. If separation was voluntary, would you choose to work for DCFS again? \_\_\_\_\_ Yes \_\_\_\_\_ No
9. Would you like to discuss your separation with the EEO Officer? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, include your address and phone number: \_\_\_\_\_

If you have suggestions for how the Department could be improved or want to discuss any other issues or concerns, **please use the reverse side.**

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**

Please Mail to: Daniel L. Fitzgerald, Deputy Director  
Office of Affirmative Action  
Department of Children and Family Services  
1921 South Indiana Avenue, 4<sup>th</sup> Floor  
Chicago, IL 60616

Thank you for taking the time to complete this form

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## **APPENDIX**



**RULE 308**  
**NON-DISCRIMINATION REQUIREMENTS**  
**OF DEPARTMENT SERVICE PROVIDERS**

# ADMINISTRATIVE CODE

**TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER a: SERVICE DELIVERY  
PART 308 NONDISCRIMINATION REQUIREMENTS OF DEPARTMENT SERVICE PROVIDERS**

The General Assembly's Illinois Administrative Code database includes only those rulemakings that have been permanently adopted. This menu will point out the Sections on which an emergency rule (valid for a maximum of 150 days, usually until replaced by a permanent rulemaking) exists. The emergency rulemaking is linked through the notation that follows the Section heading in the menu.

- [Section 308.10 Purpose](#)
- [Section 308.20 Definitions](#)
- [Section 308.30 The Department's Nondiscrimination Policy with Respect to Private Purchase of Service Providers](#)
- [Section 308.40 Affirmative Action and Civil Rights Compliance](#)
- [Section 308.50 Complaints Alleging Discrimination in Service Delivery](#)
- [Section 308.60 Complaints Alleging Discrimination in Employment](#)
- [Section 308.70 Contract Termination](#)

AUTHORITY: Implementing the U.S. Constitution; 1964 Civil Rights Act, Titles VI and VIII (42 U.S.C. 2000d et seq. and 2000e et seq.); 1973 Rehabilitation Act, Sections 503 and 504 (29 U.S.C. 793 and 794); and The Age Discrimination Act (42 U.S.C. 6101 et seq.) and implementing and authorized by "AN ACT creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named" (Ill. Rev. Stat. 1979, ch. 23, pars. 5001 et seq.).

SOURCE: Adopted and codified at 5 Ill. Reg. 5831, effective June 5, 1981; recodified at 18 Ill. Reg. 11510, effective July 11, 1994.

## **Section 308.10 Purpose**

These rules describe the department's policies to ensure that private providers receiving public funds and providing services to department clients do not discriminate in their employment and service delivery practices. These rules also describe the means available to the department and other appropriate government agencies for obtaining nondiscrimination assurances from providers, monitoring related contract provisions and terminating contracts when discrimination is indicated. Refer to Part 429, Equal Employment Opportunity through the Department of Children and Family Services and to Part 309, Review and Appeal Process, for descriptions of how the department assures nondiscrimination in employment and service provision.

## **Section 308.20 Definitions**

"Affirmative action," as in these rules, is the undertaking of specific personnel steps in recruiting, selecting, placing, transferring, promoting, and other basic terms and conditions of employment, for the purpose of eliminating present effects of past discrimination.

"Affirmative action exhibits" means affirmative action compliance reporting forms submitted by purchase of service providers to the department, as specified by the Purchase of Service Contract.

"Civil rights compliance review" means a formal assessment conducted by the department or other appropriate governmental agencies to determine whether the provider, directly or indirectly through its employees, has discriminated in service delivery or employment practices or failed to comply with any other laws or regulations related to the civil rights of individuals.

“Employment discrimination” or “discrimination”, as used in these rules means any policy, procedure or practice which has an adverse effect on an applicant employee or group of employees regarding their hiring, firing, compensation, terms, conditions, or privileges of employment, on the basis of race, color, religion, sex, national origin, age, or physical or mental handicap unrelated to ability.

“Purchase of service provider” means an agency or individual offering services to a department client through a signed contract for paid services.

**Section 308.30 The Department’s Nondiscrimination Policy with Respect to Private Purchase of Service Providers**

- a) The department shall contract only with service providers who, in the provision of their services and opportunities for employment, exercise nondiscriminatory policies and practices. All purchase of service providers must provide contractual exhibits assuring that they do not discriminate in their employment and service delivery practices. Such providers include all child welfare service providers, social service providers, or any other purchase of service providers with whom the Department may contract.
- b) Each provider shall comply with Title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq. and 2000e et seq.); Section 503 and 504 of the Rehabilitation Act (29 U.S.C. 793 and 794); the U.S. Constitution; the 1970 Illinois Constitution; any state and federal laws, regulations or orders which prohibit discrimination in employment on the grounds of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service other than a dishonorable discharge and service delivery on the grounds of race, sex, color, religion, national origin or ancestry, the inability to speak or comprehend the English language or by reason of any handicap. Refer to Part 307, Indian Child Welfare Services which defines the special rights of American Indians.
- c) Purchase of service providers should notify the department’s administrator responsible for affirmative action whenever a discrimination complaint is filed against them.

**Section 308.40 Affirmative Action and Civil Rights Compliance**

- a) **Affirmative Action Exhibits**  
The department requires all purchase of service providers to file semiannual affirmative action exhibits with the department’s administrator responsible for affirmative action as required in their contract with the department.
- b) **Civil Rights Compliance Review**
  - 1) Purchase of service providers will be subject to periodic civil rights compliance reviews conducted by the department or other appropriate governmental agencies. Such review will be conducted whenever, a report, complaint, or any other information indicates a possible failure to comply with nondiscrimination requirements.

- 2) In instances where there is a preliminary finding of noncompliance, a reasonable period will be granted to allow the provider to comply. If the provider fails to make a good faith effort to achieve compliance during the period granted, the purchase of service contract shall be terminated.
  - 3) The department shall order a review when the Illinois Department of Human Rights or the United States Equal Employment Opportunity Commission issues a probable cause finding in response to a complaint.
  - 4) If the results of a review indicate that discrimination has occurred, the service provider will be requested to submit quarterly reports on the status of employment or service delivery.
- c) **Workforce Analysis**
- A workforce analysis, as specified in the Purchase of Service Contract, will be required from providers. Should the workforce analysis reflect an underutilization of any of the protected classes (Blacks, Hispanics, Native Americans, Asian Americans and women) in a particular job category or classification, compared to what would reasonably be expected by their presence, with requisite skills, in the labor market, the department's administrator responsible for affirmative action will make recommendations that good faith efforts be made to correct this employment condition.

**Section 308.50 Complaints Alleging Discrimination in Service Delivery**

- a) No person, on the grounds of race, color or national origin, may be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.
- b) Any applicant or recipient of department aid, care, service, or any program provided by the Department who believes that he is being discriminated against by a department provider or a subcontractor of the department should file a written complaint with the department's administrator responsible for affirmative action within 30 days of the alleged discriminatory act. The complaint should give all related information concerning the alleged discrimination.
- c) Upon receipt of the complaint, the department's administrator responsible for affirmative action will initiate an investigation of the circumstances related to the complaint and provide a written report to the director of the Department of Children and Family Services. If in the report there is not adequate evidence to support the allegation(s), the complainant will be so notified. In cases where there are reasonable grounds to believe that discrimination has occurred, the department will work with the provider and the client to resolve the matter through advice and conciliation.
- d) Any person alleging discrimination in purchased service delivery has the right to file a complaint with the United States Department of Health and Human Services, Office of Civil Rights, or the Department of Labor, Office of Federal Contract Compliance.



**Section 308.60 Complaints Alleging Discrimination in Employment**

- a) An applicant for employment or an employee may notify the department's administrator responsible for affirmative action about alleged discrimination in employment. The department's affirmative action staff shall within 10 days, if practicable, investigate the allegations. The determination and result of such investigation will be sent to the complaint and the purchase of service provider.
- b) A person alleging employment discrimination by a department provider also has the right to file a complaint with the Illinois Department of Human Rights or the United States Equal Employment Opportunity Commission.

**Section 308.70 Contract Termination**

Contract termination shall result when the department determines that discrimination, either in service delivery or employment, is indicated and the provider continues to fail to comply within any reasonable compliance period the Department may grant. Contract termination can also result from proof of discrimination determined in a court of law unless the provider takes immediate steps to correct the discriminatory practices, when such steps meet department or court approval. Indicated and proved discrimination will be reported to appropriate state and federal authorities.

**RULE 425**  
**AMERICANS WITH DISABILITIES ACT**  
**GRIEVANCE PROCEDURE**

# ADMINISTRATIVE CODE

**TITLE 4: DISCRIMINATION PROCEDURES  
CHAPTER XIV: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
PART 425 AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE**

The General Assembly's Illinois Administrative Code database includes only those rulemakings that have been permanently adopted. This menu will point out the Sections on which an emergency rule (valid for a maximum of 150 days, usually until replaced by a permanent rulemaking) exists. The emergency rulemaking is linked through the notation that follows the Section heading in the menu.

- [Section 425.10 Purposes](#)
- [Section 425.20 Definitions](#)
- [Section 425.30 Procedure](#)
- [Section 425.40 Designated Coordinator Level](#)
- [Section 425.50 Final Level](#)
- [Section 425.60 Accessibility](#)
- [Section 425.70 Case-By-Case Resolution](#)

AUTHORITY: Implementing the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.) and authorized by Section 4 of the Children and Family Services Act [20 ILCS 505/4].

SOURCE: Adopted at 36 Ill. Reg. 12303, effective July 20, 2012.

## **Section 425.10 Purposes**

- a) This grievance procedure is established pursuant to the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) (ADA) and specifically Section 35.107 of the Title II regulations (28 CFR 35) requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator:  

DCFS ADA Officer  
1921 S. Indiana Ave.  
Chicago IL 60616  
312-808-5000  
*[DCFS.DEI@illinois.gov](mailto:DCFS.DEI@illinois.gov)*
- b) In general, the ADA requires that each program, service and activity offered by the Department of Children and Family Services, when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- c) It is the intention of the department to foster open communication with all individuals requesting readily accessible programs, services and activities. The Department encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

### **Section 425.20 Definitions**

“**Act**” or “**ADA**” means the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.).

“**Complainant**” is an individual with a disability who files a Grievance Form provided by the Department under this procedure.

“**Department**” means the Department of Children and Family Services.

“**Designated Coordinator**” is the person appointed by the Department who is responsible for the coordination of efforts of the Department to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. (See 28 CFR 35.107.)

“**Director**” means the Director of the Department of Children and Family Services.

“**Disabilities**” shall have the same meaning as set forth in the ADA.

“**Grievance**” is any complaint under the ADA that is reduced to writing by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Department and believes he or she has been excluded from participation in, or denied the benefits of, any program, service or activity of the Department or has been subject to discrimination by the Department.

“**Grievance Form**” is prescribed for the purpose of filing a grievance under this Part and includes information such as name, address, phone number, nature of the grievance, with specificity, including date of incident, time, place and witnesses if applicable.

“**Qualified Individual with a Disability**” means an individual with a disability who, with or without reasonable modifications to rules, policies or practices, the removal of architectural, communication or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Department.

### **Section 425.30 Procedure**

- a) Grievances must be submitted in accordance with procedures established in Sections 425.40 and 425.50. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this Part are in calendar days, unless otherwise stated, and may be extended by mutual agreement, in writing, by the complainant and the reviewer, at the Designated Coordinator and/or the Final Levels described in Section 425.50.
- b) A complainant’s failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the last response from the department given during the grievance procedure.
- c) The department shall, upon being informed of an individual’s desire to file a formal grievance, instruct the individual how to receive a copy of this Part and the Grievance Form.

#### **Section 425.40 Designated Coordinated Level**

- a) If an individual desires to file a grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration by the Designated Coordinator.
- b) Upon request, assistance in completing the Grievance Form shall be provided by the department.
- c) The Designated Coordinator, or his/her representative, shall investigate the grievance and, if the grievance is found to be valid, shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and Director within 15 business days after receipt of the Grievance Form.

#### **Section 425.50 Final Level**

- a) If the grievance is not resolved at the Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the Grievance Form and Designated Coordinator's response to the director for final review. The complainant shall submit these documents to the Director, together with a short-written statement explaining the reasons for dissatisfaction with the Designated Coordinator's written response, within 15 business days after receipt by the complainant of the Designated Coordinator's response.
- b) Within 15 business days, the director shall appoint a three-member panel to review the grievance at the Final Level. One member shall be designated chair. The panel shall schedule a review of the grievance, which shall commence no later than 15 business days after the last member of the panel is appointed.
- c) Complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his or her behalf. The panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) Upon agreement of at least two of the panel members, but not later than 15 business days after the review described in subsection (b), the panel shall make recommendations in writing to the Director as to the proper resolution of the grievance. All recommendations shall include reasons for those recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a recommendation to the director in writing and shall sign the recommendation.
- e) Within 15 business days after receipt of recommendations from a panel, the Director or designee shall approve, disapprove or modify the panel recommendations; shall render a decision on those recommendations in writing; shall state the basis for his or her decision; and shall cause a copy of the decision to be served on the parties. The Director's decision shall be final. If the director disapproves or modifies the panel's recommendations, the director may include written reasons for that disapproval or modification.

- f) The Grievance Form, the Designated Coordinator's response, the statement of the reasons for dissatisfaction, the recommendations of the panel, and the decision of the director shall be maintained in accordance with the State Records Act [5 ILCS 160] or as otherwise required by law.

**Section 425.60 Accessibility**

The Department shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

**Section 425.70 Case-By-Case Resolution**

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Department. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

**RULE 429**

**EQUAL EMPLOYMENT OPPORTUNITY  
THROUGH THE ILLINOIS DEPARTMENT OF  
CHILDREN AND FAMILY SERVICES**

# ADMINISTRATIVE CODE

**TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER f: GENERAL ADMINISTRATION  
PART 429 EQUAL EMPLOYMENT OPPORTUNITY THROUGH THE DEPARTMENT  
OF CHILDREN AND FAMILY SERVICES**

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- [Section 429.1 Purpose](#)
- [Section 429.2 Definitions](#)
- [Section 429.3 The Department's Affirmative Action Policy](#)
- [Section 429.4 Employment Discrimination Complaints](#)

AUTHORITY: Implementing the U. S. Constitution; 1964 Civil Rights Act, Titles VI and VII (42 U.S.C. 2000d et seq. and 2000e et seq.); 1973 Rehabilitation Act, Sections 503 and 504 (29 U.S.C. 793 and 794); The Age Discrimination Act (42 U.S.C. 6101 et seq.); Executive Order 11246 (as revised) and the Illinois Human Rights Act (Ill. Rev. Stat. 1980 Supp., ch. 68, pars. 1-101 et seq.); and authorized by Section 4 of "AN ACT creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named" (Ill. Rev. Stat. 1979, ch. 23, par. 5004).

SOURCE: 5 Ill. Reg. 7800, effective August 3, 1981.

## **Section 429.1 Purpose**

These rules describe the Department's policy of nondiscrimination in employment practices. Refer to part 308, Nondiscrimination Requirements of Department Service Providers.

## **Section 429.2 Definitions**

"Affirmative action," as applied in this part, is the undertaking of specific personnel steps in recruiting, selecting, placing, transferring, promoting, and other basic terms and conditions of employment, for the purpose of eliminating present effects of past or current discrimination.

"Employment discrimination" or "discrimination," as applied in this part, means any policy, procedure or practice which has an adverse effect on an applicant, employee or class of employees with regard to their hiring, firing, compensation, terms, conditions or privileges of employment on the basis of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service other than a dishonorable discharge.

## **Section 429.3 The Department's Affirmative Action Policy**

- a) The Illinois Department of Children and Family Services will not discriminate in employment on the grounds of race, color, religion, sex, marital status, national origin or ancestry age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service other than a dishonorable discharge. This policy is mandated by both federal and state law, including the Civil Rights Act of 1964 (amended, 1972), presidential and gubernatorial executive orders, various other policies and guidelines, and a general recognition of the importance of eliminating artificial, arbitrary, and unnecessary barriers to employment.
- b) The policy of affirmative action shall require an analysis of the department's workforce to determine underutilization of any of the protected classes: Blacks, Hispanics, Native Americans, Asian Americans, and women. When an underutilization is determined, goals will be set, in compliance with applicable



law, to ensure utilization with regard to representation in the population, availability and requisite skills.

- c) This policy also requires agencies and individuals that do business with the department to comply with this part. (See part 308, Nondiscrimination Requirements of Department Service Providers.)
- d) Nothing in this policy shall prohibit the department from denying employment to persons on the basis of criminal convictions. However, the Department will consider the gravity of the offense, the circumstances under which it occurred, the background and age of the applicant at the time of the offense and whether the offense is related to the applicant's suitability for employment.

#### **Section 429.4 Employment Discrimination Complaints**

- a) Complaints of alleged employment discrimination shall be resolved informally whenever possible. If an employee or applicant for employment believes discrimination has occurred he/she should contact the department administrator responsible for affirmative action to discuss the matter. This initial contact (if other than in writing) is to be followed by a written statement of the complaint being filed with the Department administrator responsible for affirmative action. No complaint shall be accepted for investigation if not filed with the department's administrator responsible for affirmative action within 180 days of the alleged discriminatory act(s).
- b) The written complaint should provide sufficient information to adequately explain the alleged discriminatory act(s). If the complaint does not set forth sufficient information concerning the alleged discriminatory act(s), the Division of Diversity, Equity and Inclusion will contact the person in an effort to secure additional information. Within 5 working days following the filing of the complaint, a staff person from the Division of Diversity, Equity and Inclusion will initiate an investigation of the complaint. Upon completion of the investigation (within 30 workdays) a determination as to whether evidence exists to support or not support the charge(s), as filed, will be made. Within 5 workdays following the completion of the investigation, the complainant and regional or unit administrator shall be notified by the Division of Diversity, Equity and Inclusion, in writing, of the determination. The written notification to the regional or unit administrator will include the remedial measures, if any, which should be implemented within 10 workdays of the receipt of such notice. If the complainant is dissatisfied with the findings of the investigation, and/or the recommended remedial action, the complainant will be informed of other available avenues for resolving complaints.
- c) The relief provisions provided above shall be the exclusive departmental procedure for persons complaining of department discriminatory acts in employment but shall not be construed as limiting a person's right to utilize existing legal remedies. A person complaining of any manner of employment discrimination also has the right to file complaints with the Director of the Illinois Department of Personnel, the State Department of Human Rights, the Equal Employment Opportunity Commission (E.E.O.C., federal), the Department of Health and Human Services (formerly H.E.W.), the Office of Federal Contract Compliance (federal), and initiate civil court action.



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Division of Diversity, Equity and Inclusion  
Daniel L. Fitzgerald, Chief Diversity Officer / EEO Officer  
1921 South Indiana Ave. 2nd Floor • Chicago, IL 60616

[DCFS.Illinois.gov](http://DCFS.Illinois.gov)